

DIRECTIVE (EU) 2018/2001 of 11 December 2018 on the promotion of the use of energy from renewable sources

Incorporated and adapted by the Ministerial Council Decision 2021/14/MC-EnC of 30 November 2021 on incorporating Directive (EU) 2018/2001 in the Energy Community acquis communautaire and amending Article 20 and Annex I of the Treaty. Amended by the Ministerial Council Decision 2022/02/MC-EnC of 15 December 2022.

*The adaptations made by Ministerial Council Decisions 2021/14/MC-EnC and 2022/02/MC-EnC are highlighted in **bold and blue**.*

Whereas it should be ensured, as early as possible, that Guarantees of origins issued by Contracting Parties of the Energy Community are recognised by Member States as referred to Article 19(11) of the Directive (EU) 2018/2001, either through the Energy Community Treaty or a separate agreement.¹

Article 1

Subject matter

This Directive establishes a common framework for the promotion of energy from renewable sources. It sets a target for the overall share of energy from renewable sources in the **Energy Community** gross final consumption of energy in 2030, **in line with Regulation (EU) 2018/1999, in particular Article 2, point (11), as adapted and adopted by Ministerial Council Decision 2021/14/MC-EnC and Ministerial Council Decision 2022/02/MC-EnC**. It also lays down rules on financial support for electricity from renewable sources, on self-consumption of such electricity, on the use of energy from renewable sources in the heating and cooling sector and in the transport sector, on regional cooperation between **Contracting Parties, between Contracting Parties and Member States, and between Contracting Parties** and third countries, on guarantees of origin, on administrative procedures and on information and training. It also establishes sustainability and greenhouse gas emissions saving criteria for biofuels, bioliquids and biomass fuels.

Article 2

Definitions

For the purposes of this Directive, the relevant definitions in Directive 2009/72/EC, **as adapted and adopted by Ministerial Council Decision 2021/14/MC-EnC**, apply.

The following definitions also apply:

(1bis) '(overall) Energy Community 2030 target' means the value calculated on the basis of the targets for the Contracting Parties as regards the minimum share of renewable energy consumed in 2030, in the

¹ The text displayed here corresponds to Article 4 of Ministerial Council Decision 2021/14/MC-EnC

terms as referred to in Article 3(1) of this Directive”².

(1) ‘energy from renewable sources’ or ‘renewable energy’ means energy from renewable non-fossil sources, namely wind, solar (solar thermal and solar photovoltaic) and geothermal energy, ambient energy, tide, wave and other ocean energy, hydropower, biomass, landfill gas, sewage treatment plant gas, and biogas;

(2) ‘ambient energy’ means naturally occurring thermal energy and energy accumulated in the environment with constrained boundaries, which can be stored in the ambient air, excluding in exhaust air, or in surface or sewage water;

(3) ‘geothermal energy’ means energy stored in the form of heat beneath the surface of solid earth;

(4) ‘gross final consumption of energy’ means the energy commodities delivered for energy purposes to industry, transport, households, services including public services, agriculture, forestry and fisheries, the consumption of electricity and heat by the energy branch for electricity, heat and transport fuel production, and losses of electricity and heat in distribution and transmission;

(5) ‘support scheme’ means any instrument, scheme or mechanism applied by a **Contracting Party**, or a group of **Contracting Parties** or Member States, that promotes the use of energy from renewable sources by reducing the cost of that energy, increasing the price at which it can be sold, or increasing, by means of a renewable energy obligation or otherwise, the volume of such energy purchased, including but not restricted to, investment aid, tax exemptions or reductions, tax refunds, renewable energy obligation support schemes including those using green certificates, and direct price support schemes including feed-in tariffs and sliding or fixed premium payments;

(6) ‘renewable energy obligation’ means a support scheme requiring energy producers to include a given share of energy from renewable sources in their production, requiring energy suppliers to include a given share of energy from renewable sources in their supply, or requiring energy consumers to include a given share of energy from renewable sources in their consumption, including schemes under which such requirements may be fulfilled by using green certificates;

(7) <...> ³

(8) ‘SME’ means a micro, small or medium-sized enterprise as defined in Article 2 of the Annex to Commission Recommendation 2003/361/EC;

(9) ‘waste heat and cold’ means unavoidable heat or cold generated as by-product in industrial or power generation installations, or in the tertiary sector, which would be dissipated unused in air or water without access to a district heating or cooling system, where a cogeneration process has been used or will be used or where cogeneration is not feasible;

(10) ‘repowering’ means renewing power plants that produce renewable energy, including the full or partial replacement of installations or operation systems and equipment for the purposes of replacing capacity or increasing the efficiency or capacity of the installation;

(11) ‘distribution system operator’ means an operator as defined in point (6) of Article 2 of Directive 2009/72/EC and in point (6) of Article 2 of Directive 2009/73/EC, **as adapted and adopted by Ministerial Council Decision 2011/02/MC-EnC**;

(12) ‘guarantee of origin’ means an electronic document which has the sole function of providing evidence to a final customer that a given share or quantity of energy was produced from renewable sources;

2 Changes in the text of this Article correspond to Article 2 of Ministerial Council Decision 2022/02/MC-EnC

3 Not applicable according to Article 4 of Ministerial Council Decision 2021/14/MC-EnC

(13) 'residual energy mix' means the total annual energy mix for a **Contracting Party**, excluding the share covered by cancelled guarantees of origin;

(14) 'renewables self-consumer' means a final customer operating within its premises located within confined boundaries or, where permitted by a **Contracting Party**, within other premises, who generates renewable electricity for its own consumption, and who may store or sell self-generated renewable electricity, provided that, for a non-household renewables self-consumer, those activities do not constitute its primary commercial or professional activity;

(15) 'jointly acting renewables self-consumers' means a group of at least two jointly acting renewables self-consumers in accordance with point (14) who are located in the same building or multi-apartment block;

(16) 'renewable energy community' means a legal entity:

(a) which, in accordance with the applicable national law, is based on open and voluntary participation, is autonomous, and is effectively controlled by shareholders or members that are located in the proximity of the renewable energy projects that are owned and developed by that legal entity;

(b) the shareholders or members of which are natural persons, SMEs or local authorities, including municipalities;

(c) the primary purpose of which is to provide environmental, economic or social community benefits for its shareholders or members or for the local areas where it operates, rather than financial profits;

(17) 'renewables power purchase agreement' means a contract under which a natural or legal person agrees to purchase renewable electricity directly from an electricity producer;

(18) 'peer-to-peer trading' of renewable energy means the sale of renewable energy between market participants by means of a contract with pre-determined conditions governing the automated execution and settlement of the transaction, either directly between market participants or indirectly through a certified third-party market participant, such as an aggregator. The right to conduct peer-to-peer trading shall be without prejudice to the rights and obligations of the parties involved as final customers, producers, suppliers or aggregators;

(19) 'district heating' or 'district cooling' means the distribution of thermal energy in the form of steam, hot water or chilled liquids, from central or decentralised sources of production through a network to multiple buildings or sites, for the use of space or process heating or cooling;

(20) 'efficient district heating and cooling' means efficient district heating and cooling as defined in point (41) of Article 2 of Directive 2012/27/EU **as adapted and adopted by Ministerial Council Decision 2015/08/MC-EnC**;

(21) 'high-efficiency cogeneration' means high-efficiency cogeneration as defined in point (34) of Article 2 of Directive 2012/27/EU **as adapted and adopted by Ministerial Council Decision Decision 2015/08/MC-EnC**;

(22) 'energy performance certificate' means energy performance certificate as defined in point (12) of Article 2 of Directive 2010/31/EU, **as adapted and adopted by Ministerial Council Decision 2009/05/MC-EnC**;

(23) 'waste' means waste as defined in point (1) of Article 3 of Directive 2008/98/EC, excluding substances that have been intentionally modified or contaminated in order to meet this definition;

- (24) 'biomass' means the biodegradable fraction of products, waste and residues from biological origin from agriculture, including vegetal and animal substances, from forestry and related industries, including fisheries and aquaculture, as well as the biodegradable fraction of waste, including industrial and municipal waste of biological origin;
- (25) 'agricultural biomass' means biomass produced from agriculture;
- (26) 'forest biomass' means biomass produced from forestry;
- (27) 'biomass fuels' means gaseous and solid fuels produced from biomass;
- (28) 'biogas' means gaseous fuels produced from biomass;
- (29) 'biowaste' means biowaste as defined in point (4) of Article 3 of Directive 2008/98/EC ;
- (30) 'sourcing area' means the geographically defined area from which the forest biomass feedstock is sourced, from which reliable and independent information is available and where conditions are sufficiently homogeneous to evaluate the risk of the sustainability and legality characteristics of the forest biomass;
- (31) 'forest regeneration' means the re-establishment of a forest stand by natural or artificial means following the removal of the previous stand by felling or as a result of natural causes, including fire or storm;
- (32) 'bioliquids' means liquid fuel for energy purposes other than for transport, including electricity and heating and cooling, produced from biomass;
- (33) 'biofuels' means liquid fuel for transport produced from biomass;
- (34) 'advanced biofuels' means biofuels that are produced from the feedstock listed in Part A of Annex IX;
- (35) 'recycled carbon fuels' means liquid and gaseous fuels that are produced from liquid or solid waste streams of non-renewable origin which are not suitable for material recovery in accordance with Article 4 of Directive 2008/98/EC, or from waste processing gas and exhaust gas of non-renewable origin which are produced as an unavoidable and unintentional consequence of the production process in industrial installations;
- (36) 'renewable liquid and gaseous transport fuels of non-biological origin' means liquid or gaseous fuels which are used in the transport sector other than biofuels or biogas, the energy content of which is derived from renewable sources other than biomass;
- (37) 'low indirect land-use change-risk biofuels, bioliquids and biomass fuels' means biofuels, bioliquids and biomass fuels, the feedstock of which was produced within schemes which avoid displacement effects of food and feed-crop based biofuels, bioliquids and biomass fuels through improved agricultural practices as well as through the cultivation of crops on areas which were previously not used for cultivation of crops, and which were produced in accordance with the sustainability criteria for biofuels, bioliquids and biomass fuels laid down in Article 29;
- (38) 'fuel supplier' means an entity supplying fuel to the market that is responsible for passing fuel through an excise duty point or, in the case of electricity or where no excise is due or where duly justified, any other relevant entity designated by a **Contracting Party**;
- (39) 'starch-rich crops' means crops comprising mainly cereals, regardless of whether the grains alone or the whole plant, such as in the case of green maize, are used; tubers and root crops, such as potatoes, Jerusalem artichokes, sweet potatoes, cassava and yams; and corm crops, such as taro and cocoyam;
- (40) 'food and feed crops' means starch-rich crops, sugar crops or oil crops produced on agricultural land as a main crop excluding residues, waste or ligno-cellulosic material and intermediate crops, such as

catch crops and cover crops, provided that the use of such intermediate crops does not trigger demand for additional land;

(41) 'ligno-cellulosic material' means material composed of lignin, cellulose and hemicellulose, such as biomass sourced from forests, woody energy crops and forest-based industries' residues and wastes;

(42) 'non-food cellulosic material' means feedstock mainly composed of cellulose and hemicellulose, and having a lower lignin content than ligno-cellulosic material, including food and feed crop residues, such as straw, stover, husks and shells; grassy energy crops with a low starch content, such as ryegrass, switchgrass, miscanthus, giant cane; cover crops before and after main crops; ley crops; industrial residues, including from food and feed crops after vegetal oils, sugars, starches and protein have been extracted; and material from biowaste, where ley and cover crops are understood to be temporary, short-term sown pastures comprising grass-legume mixture with a low starch content to obtain fodder for livestock and improve soil fertility for obtaining higher yields of arable main crops;

(43) 'residue' means a substance that is not the end product(s) that a production process directly seeks to produce; it is not a primary aim of the production process and the process has not been deliberately modified to produce it;

(44) 'agricultural, aquaculture, fisheries and forestry residues' means residues that are directly generated by agriculture, aquaculture, fisheries and forestry and that do not include residues from related industries or processing;

(45) 'actual value' means the greenhouse gas emissions savings for some or all of the steps of a specific biofuel, bioliquid or biomass fuel production process, calculated in accordance with the methodology laid down in Part C of Annex V or Part B of Annex VI;

(46) 'typical value' means an estimate of the greenhouse gas emissions and greenhouse gas emissions savings for a particular biofuel, bioliquid or biomass fuel production pathway, which is representative of the **Energy Community** consumption;

(47) 'default value' means a value derived from a typical value by the application of pre-determined factors and that may, in circumstances specified in this Directive, be used in place of an actual value.

Article 3⁴

Overall Energy Community target for 2030

1. **Contracting Parties** shall ensure that the share of energy from renewable sources in the **Contracting Parties'** gross final consumption of energy in 2030 **contributes to the overall Energy Community target set in part A of Annex I⁵**.

2. **Contracting Parties** shall set national contributions **not lower than the share included in the third column of the table in part A of Annex I⁶**, to meet the overall **Energy Community** target set in paragraph 1 of this Article as part of their integrated national energy and climate plans in accordance with Articles 3 to 5 and 9 to 14 of Regulation (EU) 2018/1999 **as adapted and adopted by Ministerial Council Decision 2021/14/MC-EnC and Ministerial Council Decision 2022/02/MC-EnC**.

⁴ Changes in the text of this Article correspond to Article 4 of Ministerial Council Decision 2021/14/MC-EnC

⁵ Changes in the text of this Article correspond to Article 2 of Ministerial Council Decision 2022/02/MC-EnC

⁶ Changes in the text of this Article correspond to Article 2 of Ministerial Council Decision 2022/02/MC-EnC

If, on the basis of the assessment of the draft integrated national energy and climate plans submitted pursuant to Article 9 of Regulation (EU) 2018/1999, **as adapted and adopted by Ministerial Council Decision 2021/14/MC-EnC and Ministerial Council Decision 2022/02/MC-EnC**, the **Secretariat** concludes that the national contributions of the **Contracting Parties** are insufficient for the achievement of the overall **Energy Community** target, it shall follow the procedure laid down in Articles 9 and 31 of that Regulation, **as adapted and adopted by Ministerial Council Decision 2021/14/MC-EnC**.

3. **Contracting Parties** shall ensure that their national policies, including the obligations deriving from Articles 25 to 28 of this Directive, and their support schemes, are designed with due regard to the waste hierarchy as set out in Article 4 of Directive 2008/98/EC to aim to avoid undue distortive effects on the raw material markets. **Contracting Parties** shall grant no support for renewable energy produced from the incineration of waste if the separate collection obligations laid down in that Directive have not been complied with.

4. From 1 January 2022, the share of energy from renewable sources in each **Contracting Party's** gross final consumption of energy shall not be lower than the baseline share shown in the third column of the table in Part A of Annex I to this Directive. **Contracting Parties** shall take the necessary measures to ensure compliance with that baseline share. If a Contracting Party does not maintain its baseline share as measured over any one-year period, the first and second subparagraphs of Article 32(4) of Regulation (EU) 2018/1999 **as adapted and adopted by Ministerial Council Decision 2021/14/MC-EnC and Ministerial Council Decision 2022/02/MC-EnC** shall apply.

5. The **European Union** shall **endeavour to** support the high ambition of **Contracting Parties** through an enabling framework comprising the enhanced use of **available** funds, including additional funds to facilitate a just transition of carbon intensive regions towards increased shares of renewable energy, in particular financial instruments, especially for the following purposes:

(a) reducing the cost of capital for renewable energy projects;

(b) developing projects and programmes for integrating renewable sources into the energy system, for increasing flexibility of the energy system, for maintaining grid stability and for managing grid congestions;

(c) developing transmission and distribution grid infrastructure, intelligent networks, storage facilities and interconnections in order to increase the technically feasible and economically affordable level of renewable energy in the electricity system⁷;

(d) enhancing regional cooperation between **Contracting Parties, Member States and Contracting Parties, Contracting Parties** and third countries, through joint projects, joint support schemes and the opening of support schemes for renewable electricity to producers located in other **Contracting Parties or Member States**.

6. The **Contracting Parties may use the Union Renewable Development Platform established by delegated regulation** in order to support **Contracting Parties** that use cooperation mechanisms to contribute to the overall **Energy Community'** target set in paragraph 1.

⁷ Changes in the text of this Article correspond to Article 2 of Ministerial Council Decision 2022/02/MC-EnC

Article 4

Support schemes for energy from renewable sources

1. In order to reach or exceed the **Contracting Parties** target set in Article 3(1), and each **Contracting Party's** contribution to that target set at a national level for the deployment of renewable energy, **Contracting Parties** may apply support schemes.

2. Support schemes for electricity from renewable sources shall provide incentives for the integration of electricity from renewable sources in the electricity market in a market-based and market-responsive way, while avoiding unnecessary distortions of electricity markets as well as taking into account possible system integration costs and grid stability.

3. Support schemes for electricity from renewable sources shall be designed so as to maximise the integration of electricity from renewable sources in the electricity market and to ensure that renewable energy producers are responding to market price signals and maximise their market revenues.

To that end, with regard to direct price support schemes, support shall be granted in the form of a market premium, which could be, *inter alia*, sliding or fixed.

Contracting Parties may exempt small-scale installations and demonstration projects from this paragraph, without prejudice to the applicable **Energy Community** law on the internal market for electricity.

4. **Contracting Parties** shall ensure that support for electricity from renewable sources is granted in an open, transparent, competitive, non-discriminatory and cost-effective manner.

Contracting Parties may exempt small-scale installations and demonstration projects from tendering procedures.

Contracting Parties may also consider establishing mechanisms to ensure the regional diversification in the deployment of renewable electricity, in particular to ensure cost-efficient system integration.

5. **Contracting Parties** may limit tendering procedures to specific technologies where opening support schemes to all producers of electricity from renewable sources would lead to a suboptimal result, in view of:

- (a) the long-term potential of a particular technology;
- (b) the need to achieve diversification;
- (c) grid integration costs;
- (d) network constraints and grid stability;
- (e) for biomass, the need to avoid distortions of raw materials markets.

6. Where support for electricity from renewable sources is granted by means of a tendering procedure, **Contracting Parties** shall, in order to ensure a high project realisation rate:

- (a) establish and publish non-discriminatory and transparent criteria to qualify for the tendering procedure and set clear dates and rules for delivery of the project;
- (b) publish information about previous tendering procedures, including project realisation rates.

7. In order to increase the generation of energy from renewable sources in the outermost regions and small islands, **Contracting Parties** may adapt financial support schemes for projects located in those regions in order to take into account the production costs associated with their specific conditions of isolation and external dependence.

8. By 31 December 2022 and every three years thereafter, the **Secretariat** shall report to the **Ministerial Council** on the performance of support for electricity from renewable sources granted by means of tendering procedures in the **Contracting Parties**, analysing in particular the ability of tendering procedures to:

- (a) achieve cost-reduction;
- (b) achieve technological improvement;
- (c) achieve high realisation rates;
- (d) provide non-discriminatory participation of small actors and, where applicable, local authorities;
- (e) limit environmental impact;
- (f) ensure local acceptability;
- (g) ensure security of supply and grid integration.

9. This Article shall apply without prejudice to **Article 18 of Energy Community Treaty**.

Article 5

Opening of support schemes for electricity from renewable sources

1. **Contracting Parties** shall have the right, in accordance with Articles 7 to 13 of this Directive, to decide to which extent they support electricity from renewable sources which is produced in another **Contracting Party or Member State**. However, **Contracting Parties** may open participation in support schemes for electricity from renewable sources to producers located in other **Contracting Parties or Member States**, subject to the conditions laid down in this Article.

When opening participation in support schemes for electricity from renewable sources, **Contracting Parties** may provide that support for an indicative share of the newly-supported capacity, or of the budget allocated thereto, in each year is open to producers located in other **Contracting Parties or Member States**.

Such indicative shares may, in each year, amount to at least 5 % from 2023 to 2026 and at least 10 % from 2027 to 2030, or, where lower, to the level of interconnectivity of the **Contracting Party** concerned in any given year.

In order to acquire further implementation experience, **Contracting Parties** may organise one or more pilot schemes where support is open to producers located in other **Contracting Parties or Member States**.

2. **Contracting Parties** may require proof of physical import of electricity from renewable sources. To that end, **Contracting Parties** may limit participation in their support schemes to producers located in **Contracting Parties or Member States** with which there is a direct connection via interconnectors. However, **Contracting Parties** shall not change or otherwise affect cross-zonal schedules and capacity allocation due to producers participating in cross-border support schemes. Cross-border electricity transfers shall be determined only by the outcome of capacity allocation pursuant to **Energy Community** law on the internal market in electricity.

3. If a **Contracting Party** decides to open participation in support schemes to producers located in other **Contracting Parties or Member States**, the relevant **Contracting Parties or Member States** shall agree on the principles of such participation. Such agreements shall cover at least the principles of allocation

of renewable electricity that is the subject of cross-border support.

4. The **Secretariat** shall, upon the request of the relevant **Contracting Party**, assist them throughout the negotiation process with the setting up of cooperation arrangements by providing information and analysis, including quantitative and qualitative data on the direct and indirect costs and benefits of cooperation, as well as with guidance and technical expertise. The **Secretariat** may encourage or facilitate the exchange of best practices and may develop templates for cooperation agreements in order to facilitate the negotiation process. The **Secretariat** shall assess, by 2025, the costs and benefits of the deployment of electricity from renewable sources in the **Energy Community** pursuant to this Article.

5. By 2024, the **Secretariat** shall carry out an evaluation of the implementation of this Article. That evaluation shall assess the need to introduce an obligation on **Contracting Parties** partially to open participation in their support schemes for electricity from renewable sources to producers located in other **Contracting Parties or Member States** with a view to a 5 % opening by 2025 and a 10 % opening by 2030.

6. The Energy Community Secretariat shall coordinate with the European Commission in performing its tasks under paragraphs 4 and 5 of this article.⁸

Article 6

Stability of financial support

1. Without prejudice to adaptations necessary to comply with Article **18 of Energy Community Treaty Contracting Parties** shall ensure that the level of, and the conditions attached to, the support granted to renewable energy projects are not revised in a way that negatively affects the rights conferred thereunder and undermines the economic viability of projects that already benefit from support.

2. **Contracting Parties** may adjust the level of support in accordance with objective criteria, provided that such criteria are established in the original design of the support scheme.

3. **Contracting Parties** shall publish a long-term schedule anticipating the expected allocation of support, covering, as a reference, at least the following five years, or, in the case of budgetary planning constraints, the following three years, including the indicative timing, the frequency of tendering procedures where appropriate, the expected capacity and budget or maximum unitary support expected to be allocated, and the expected eligible technologies, if applicable. That schedule shall be updated on an annual basis or, where necessary, to reflect recent market developments or expected allocation of support.

4. **Contracting Parties** shall, at least every five years, assess the effectiveness of their support schemes for electricity from renewable sources and their major distributive effects on different consumer groups, and on investments. That assessment shall take into account the effect of possible changes to the support schemes. The indicative long-term planning governing the decisions of the support and design of new support shall take into account the results of that assessment. Contracting Parties shall include the assessment in the relevant updates of their integrated national energy and climate plans and progress reports in accordance with Regulation (EU) 2018/1999, **as adapted and adopted by Ministerial Council Decision 2021/14/MC-EnC and Ministerial Council Decision 2022/02/MC-EnC.**

⁸ The text displayed here corresponds to Article 4 of Ministerial Council Decision 2021/14/MC-EnC

Article 7

Calculation of the share of energy from renewable sources

1. The gross final consumption of energy from renewable sources in each **Contracting Party** shall be calculated as the sum of:

- (a) gross final consumption of electricity from renewable sources;
- (b) gross final consumption of energy from renewable sources in the heating and cooling sector; and
- (c) final consumption of energy from renewable sources in the transport sector.

With regard to point (a), (b), or (c) of the first subparagraph, gas, electricity and hydrogen from renewable sources shall be considered only once for the purposes of calculating the share of gross final consumption of energy from renewable sources.

Subject to the second subparagraph of Article 29(1), biofuels, bioliquids and biomass fuels that do not fulfil the sustainability and greenhouse gas emissions saving criteria laid down in Article 29(2) to (7) and (10) shall not be taken into account.

2. For the purposes of point (a) of the first subparagraph of paragraph 1, gross final consumption of electricity from renewable sources shall be calculated as the quantity of electricity produced in a **Contracting Party** from renewable sources, including the production of electricity from renewables self-consumers and renewable energy communities and excluding the production of electricity in pumped storage units from water that has previously been pumped uphill.

In multi-fuel plants using renewable and non-renewable sources, only the part of electricity produced from renewable sources shall be taken into account. For the purposes of that calculation, the contribution of each energy source shall be calculated on the basis of its energy content.

The electricity generated by hydropower and wind power shall be accounted for in accordance with the normalisation rules set out in Annex II.

3. For the purposes of point (b) of the first subparagraph of paragraph 1, gross final consumption of energy from renewable sources in the heating and cooling sector shall be calculated as the quantity of district heating and cooling produced in a **Contracting Party** from renewable sources, plus the consumption of other energy from renewable sources in industry, households, services, agriculture, forestry and fisheries, for heating, cooling and processing purposes.

In multi-fuel plants using renewable and non-renewable sources, only the part of heating and cooling produced from renewable sources shall be taken into account. For the purposes of that calculation, the contribution of each energy source shall be calculated on the basis of its energy content.

Ambient and geothermal energy used for heating and cooling by means of heat pumps and district cooling systems shall be taken into account for the purposes of point (b) of the first subparagraph of paragraph 1, provided that the final energy output significantly exceeds the primary energy input required to drive the heat pumps. The quantity of heat or cold to be considered to be energy from renewable sources for the purposes of this Directive shall be calculated in accordance with the methodology set out in Annex VII and shall take into account energy use in all end-use sectors.

Thermal energy generated by passive energy systems, under which lower energy consumption is achieved passively through building design or from heat generated by energy from non-renewable sources, shall not

be taken into account for the purposes of point (b) of the first subparagraph of paragraph 1.

<...>

The Energy Community Secretariat shall inform the Permanent High Level Group about any delegated acts adopted in accordance with Article 7(3) of Directive (EU) 2018/2001 within one week of their adoption. The Permanent High Level Group is empowered pursuant to Article 53(d) of the Energy Community Treaty to take measures to incorporate the relevant delegated acts into the Energy Community acquis.⁹

4. For the purposes of point (c) of the first subparagraph of paragraph 1, the following requirements shall apply:

(a) Final consumption of energy from renewable sources in the transport sector shall be calculated as the sum of all biofuels, biomass fuels and renewable liquid and gaseous transport fuels of non-biological origin consumed in the transport sector. However, renewable liquid and gaseous transport fuels of non-biological origin that are produced from renewable electricity shall be considered to be part of the calculation pursuant to point (a) of the first subparagraph of paragraph 1 only when calculating the quantity of electricity produced in a **Contracting Party** from renewable sources.

(b) For the calculation of final consumption of energy in the transport sector, the values regarding the energy content of transport fuels, as set out in Annex III, shall be used. For the determination of the energy content of transport fuels not included in Annex III, **Contracting Parties** shall use the relevant European Standards Organisation (ESO) standards in order to determine the calorific values of fuels. Where no ESO standard has been adopted for that purpose, **Contracting Parties** shall use the relevant International Organization for Standardisation (ISO) standards.

5. The share of energy from renewable sources shall be calculated as the gross final consumption of energy from renewable sources divided by the gross final consumption of energy from all energy sources, expressed as a percentage.

For the purposes of the first subparagraph of this paragraph, the sum referred to in the first subparagraph of paragraph 1 of this Article shall be adjusted in accordance with Articles 8, 10, 12 and 13.

<...>¹⁰

6. The methodology and definitions used in the calculation of the share of energy from renewable sources shall be those provided for in Regulation (EC) No 1099/2008, **as adapted and adopted by Ministerial Council Decision 2015/02/MC-EnC.**

Contracting Parties shall ensure coherence of the statistical information used in calculating those sectoral and overall shares and of the statistical information reported to the **Secretariat** pursuant to that Regulation.

Article 8

Renewable development platform and statistical transfers between Contracting Parties

1. A **Contracting Party** may agree **with another Contracting Party** on the statistical transfer of a specified amount of energy from renewable sources from one **Contracting Party** to another **Contracting**

⁹ The text displayed here corresponds to Article 4 of Ministerial Council Decision 2021/14/MC-EnC

¹⁰ Not applicable according to Article 4 of Ministerial Council Decision 2021/14/MC-EnC

Party. The transferred quantity shall be:

(a) deducted from the amount of energy from renewable sources that is taken into account in calculating the renewable energy share of the **Contracting Party** making the transfer for the purposes of this Directive; and

(b) added to the amount of energy from renewable sources that is taken into account in calculating the renewable energy share of the **Contracting Party** accepting the transfer for the purposes of this Directive.

2. In order to facilitate the achievement of the **Energy Community** target set in Article 3(1) of this Directive of each **Contracting Party's** contribution to that target in accordance with Article 3(2) of this Directive, and to facilitate statistical transfers in accordance with paragraph 1 of this Article, the **Contracting Parties** shall join the Union renewable development platform ('URDP'). **Contracting Parties** may, on a voluntary basis, submit to the **Energy Community Secretariat** annual data on their national contributions to the **Energy Community** target or any benchmark set for monitoring progress in Regulation (EU) 2018/1999, **as adapted and adopted by Ministerial Council Decision 2021/14/MC-EnC and Ministerial Council Decision 2022/02/MC-EnC**, including the amount by which they expect to fall short of or exceed their contribution, and an indication of the price at which they would accept to transfer any excess production of energy from renewable sources from or to another **Contracting Party**. **The Energy Community Secretariat shall forward such data to the URDP.** The price of those transfers shall be set on a case-by-case basis based on the URDP demand-and-supply matching mechanism.

3. The **URDP shall** match the demand for and supply of the amounts of energy from renewable sources that are taken into account in the calculation of the renewable energy share of a **Contracting Party** based on prices or other criteria specified by the **Contracting Party** accepting the transfer.

<...>

The Energy Community Secretariat shall inform the Permanent High Level Group about any delegated acts adopted in accordance with Article 8(3) of Directive (EU) 2018/2001 within one week of their adoption. The Permanent High Level Group is empowered pursuant to Article 53(d) of the Energy Community Treaty to take measures to incorporate the relevant delegated acts into the Energy Community acquis.¹¹

4. The arrangements referred to in paragraphs 1 and 2 may have a duration of one or more calendar years. Such arrangements shall be notified to the **Secretariat** or finalised on the URDP not later than 12 months after the end of each year in which they have effect. The information sent to the **Secretariat** shall include the quantity and price of the energy involved. For transfers finalised on the URDP, the parties involved and the information on the particular transfer shall be disclosed to the public.

5. Transfers shall become effective after all **Contracting Parties** involved in the transfer have notified the transfer to the **Secretariat** or after all clearing conditions are met on the URDP, as applicable.

Article 9

Joint projects between Contracting Parties or Contracting Parties and Member States

1. **One** or more **Contracting Parties** may cooperate **with one or more Contracting Parties or Mem-**

¹¹ The text displayed here corresponds to Article 4 of Ministerial Council Decision 2021/14/MC-EnC

ber States on all types of joint projects with regard to the production of electricity, heating or cooling from renewable sources. Such cooperation may involve private operators.

2. **Contracting Parties** shall notify the **Secretariat** of the proportion or amount of electricity, heating or cooling from renewable sources produced by any joint project in their territory that became operational after 25 June 2009, or by the increased capacity of an installation that was refurbished after that date, which is to be regarded as counting towards the renewable energy share of another **Contracting Party or Member State** for the purposes of this Directive.

3. The notification referred to in paragraph 2 shall:

- (a) describe the proposed installation or identify the refurbished installation;
- (b) specify the proportion or amount of electricity or heating or cooling produced from the installation which is to be regarded as counting towards the renewable energy share of the other **Contracting Party or Member State**;
- (c) identify the **Contracting Party or Member State** in whose favour the notification is being made; and
- (d) specify the period, in whole calendar years, during which the electricity or heating or cooling produced by the installation from renewable sources is to be regarded as counting towards the renewable energy share of the other **Contracting Party or Member State**.

4. The duration of a joint project as referred to in this Article may extend beyond 2030.

5. A notification made under this Article shall not be varied or withdrawn without the joint agreement of **the Contracting Party** making the notification and the **Contracting Party or Member State** identified in accordance with point (c) of paragraph 3.

6. The **Secretariat** shall, upon the request of the **Contracting Parties** concerned, facilitate the establishment of joint projects **involving Contracting Parties**, in particular via dedicated technical assistance and project development assistance.

Article 10

Effects of joint projects between Contracting Parties, or Contracting Parties and Member States

1. Within three months of the end of each year falling within the period referred to in point (d) of Article 9(3), the **Contracting Party** that made the notification under Article 9 shall issue a letter of notification stating:

- (a) the total amount of electricity or heating or cooling produced from renewable sources during that year by the installation which was the subject of the notification under Article 9; and
- (b) the amount of electricity or heating or cooling produced from renewable sources during that year by that installation which is to count towards the renewable energy share of another **Contracting Party or Member State** in accordance with the terms of the notification.

2. The notifying **Contracting Party** shall submit the letter of notification to the **Contracting Party or Member State** in whose favour the notification was made and to the Secretariat.

3. For the purposes of this Directive, the amount of electricity or heating or cooling from renewable sources notified in accordance with point (b) of paragraph 1 shall be:

(a) deducted from the amount of electricity or heating or cooling from renewable sources that is taken into account in calculating the renewable energy share of the **Contracting Party** issuing the letter of notification pursuant to paragraph 1; and

(b) added to the amount of electricity or heating or cooling from renewable sources that is taken into account in calculating the renewable energy share of the **Contracting Party** or Member State receiving the letter of notification pursuant to paragraph 2.

Article 11

Joint projects between Contracting Parties and third countries

1. One or more **Contracting Parties** may cooperate with one or more third countries on all types of joint projects with regard to the production of electricity from renewable sources. Such cooperation may involve private operators and shall take place in full respect of international law.

2. Electricity from renewable sources produced in a third country shall be taken into account for the purposes of calculating the renewable energy shares of the **Contracting Parties** only where the following conditions are met:

(a) the electricity is consumed in the **Contracting Party**, which is deemed to be met where:

(i) an equivalent amount of electricity to the electricity accounted for has been firmly nominated to the allocated interconnection capacity by all responsible transmission system operators in the country of origin, the country of destination and, if relevant, each third country of transit;

(ii) an equivalent amount of electricity to the electricity accounted for has been firmly registered in the schedule of balance by the responsible transmission system operator on the Energy Community side of an interconnector; and

(iii) the nominated capacity and the production of electricity from renewable sources by the installation referred to in point (b) refer to the same period of time;

(b) the electricity is produced by an installation that became operational after 25 June 2009 or by the increased capacity of an installation that was refurbished after that date, under a joint project as referred to in paragraph 1;

(c) the amount of electricity produced and exported has not received support from a support scheme of a third country other than investment aid granted to the installation; and

(d) the electricity has been produced in accordance with international law, in a third country that is a signatory to the Council of Europe Convention for the Protection of Human Rights and Fundamental Freedoms, or other international conventions or treaties on human rights.

3. For the purposes of paragraph 4, **Contracting Parties** may apply to the **Secretariat** for account to be taken of electricity from renewable sources produced and consumed in a third country, in the context of the construction of an interconnector with a very long lead-time between a **Contracting Party** and a third country where the following conditions are met:

(a) construction of the interconnector started by 31 December 2026;

(b) it is not possible for the interconnector to become operational by 31 December 2030;

- (c) it is possible for the interconnector to become operational by 31 December 2032;
- (d) after it becomes operational, the interconnector will be used for the export to the **Energy Community**, in accordance with paragraph 2, of electricity from renewable sources;
- (e) the application relates to a joint project that fulfils the criteria set out in points (b) and (c) of paragraph 2 and that will use the interconnector after it becomes operational, and to a quantity of electricity that is no greater than the quantity that will be exported to the **Energy Community** after the interconnector becomes operational.
4. The proportion or amount of electricity produced by any installation in the territory of a third country, which is to be regarded as counting towards the renewable energy share of one or more **Contracting Parties** for the purposes of this Directive, shall be notified to the Secretariat. When more than one **Contracting Party** is concerned, the distribution between **Contracting Parties** of that proportion or amount shall be notified to the **Secretariat**. The proportion or amount shall not exceed the proportion or amount actually exported to, and consumed in, the **Contracting Party**, shall correspond to the amount referred to in point (a)(i) and (ii) of paragraph 2 and shall meet the conditions set out in point (a) of that paragraph. The notification shall be made by each **Contracting Party** towards whose overall national target the proportion or amount of electricity is to count.
5. The notification referred to in paragraph 4 shall:
- describe the proposed installation or identify the refurbished installation;
 - specify the proportion or amount of electricity produced from the installation which is to be regarded as counting towards the renewable energy share of a Contracting Party as well as, subject to confidentiality requirements, the corresponding financial arrangements;
 - specify the period, in whole calendar years, during which the electricity is to be regarded as counting towards the renewable energy share of the **Contracting Party**; and
 - include a written acknowledgement of points (b) and (c) by the third country in whose territory the installation is to become operational and an indication of the proportion or amount of electricity produced by the installation which will be used domestically by that third country.
6. The duration of a joint project as referred to in this Article may extend beyond 2030.
7. A notification made under this Article shall be varied or withdrawn only where there is a joint agreement between the **Contracting Party** making the notification and the third country that has acknowledged the joint project in accordance with point (d) of paragraph 5.
8. <...>¹²

Article 12

Effects of joint projects between Contracting Parties and third countries

1. Within 12 months of the end of each year falling within the period specified under point (c) of Article 11(5), the notifying **Contracting Party** shall issue a letter of notification stating:
- the total amount of electricity produced from renewable sources during that year by the installation which was the subject of the notification under Article 11;

¹² Not applicable according to Article 4 of Ministerial Council Decision 2021/14/MC-EnC

(b) the amount of electricity produced from renewable sources during that year by that installation which is to count towards its renewable energy share in accordance with the terms of the notification under Article 11; and

(c) evidence of compliance with the conditions laid down in Article 11(2).

2. The **Contracting Party** referred to in paragraph 1 shall submit the letter of notification to the **Secretariat** and to the third country that has acknowledged the project in accordance with point (d) of Article 11(5).

3. For the purposes of calculating the renewable energy shares under this Directive, the amount of electricity from renewable sources notified in accordance with point (b) of paragraph 1 shall be added to the amount of energy from renewable sources that is taken into account in calculating the renewable energy shares of the **Contracting Party** issuing the letter of notification.

Article 13

Joint support schemes

1. Without prejudice to the obligations of **Contracting Parties** under Article 5, **one or more Contracting Parties** may decide, on a voluntary basis, to join or partly coordinate their national support schemes **with one or more Contracting Parties or Member States**. In such cases, a certain amount of energy from renewable sources produced in the territory of one participating **Contracting Party** may count towards the renewable energy share of another participating **Contracting Party or Member State**, provided that the parties concerned:

(a) make a statistical transfer of specified amounts of energy from renewable sources from one **Contracting Party** to another **Contracting Party or Member State** in accordance with Article 8; or

(b) set up a distribution rule agreed by participating **Contracting Parties and Member States** that allocates amounts of energy from renewable sources between the participating parties.

A distribution rule as referred to in point (b) of the first subparagraph shall be notified to the Secretariat not later than three months after the end of the first year in which it takes effect.

2. Within three months of the end of each year, each **Contracting Party** that has made a notification under the second subparagraph of paragraph 1 shall issue a letter of notification stating the total amount of electricity or heating or cooling from renewable sources produced during the year which is to be the subject of the distribution rule.

3. For the purposes of calculating the renewable energy shares under this Directive, the amount of electricity or heating or cooling from renewable sources notified in accordance with paragraph 2 shall be reallocated between the **parties** concerned in accordance with the notified distribution rule.

4. The **Energy Community Secretariat** shall disseminate guidelines and best practices, and, upon the request of the **Contracting Parties** concerned, facilitate the establishment of joint support schemes involving **Contracting Parties**.

Article 14

Capacity increases

For the purposes of Article 9(2) and point (b) of Article 11(2), units of energy from renewable sources imputable to an increase in the capacity of an installation shall be treated as if they were produced by a separate installation becoming operational at the moment at which the increase of capacity occurred.

Article 15

Administrative procedures, regulations and codes

1. **Contracting Parties** shall ensure that any national rules concerning the authorisation, certification and licensing procedures that are applied to plants and associated transmission and distribution networks for the production of electricity, heating or cooling from renewable sources, to the process of transformation of biomass into biofuels, bioliquids, biomass fuels or other energy products, and to renewable liquid and gaseous transport fuels of non-biological origin are proportionate and necessary and contribute to the implementation of the energy efficiency first principle.

Contracting Parties shall, in particular, take the appropriate steps to ensure that:

- (a) administrative procedures are streamlined and expedited at the appropriate administrative level and predictable timeframes are established for the procedures referred to in the first subparagraph;
- (b) rules concerning authorisation, certification and licensing are objective, transparent and proportionate, do not discriminate between applicants and take fully into account the particularities of individual renewable energy technologies;
- (c) administrative charges paid by consumers, planners, architects, builders and equipment and system installers and suppliers are transparent and cost-related; and
- (d) simplified and less burdensome authorisation procedures, including a simple-notification procedure, are established for decentralised devices, and for producing and storing energy from renewable sources.

2. **Contracting Parties** shall clearly define any technical specifications which are to be met by renewable energy equipment and systems in order to benefit from support schemes. Where European standards exist, including eco-labels, energy labels and other technical reference systems established by the European standardisation bodies, such technical specifications shall be expressed in terms of those standards. Such technical specifications shall not prescribe where the equipment and systems are to be certified and shall not impede the proper functioning of the internal market.

3. **Contracting Parties** shall ensure that their competent authorities at national, regional and local level include provisions for the integration and deployment of renewable energy, including for renewables self-consumption and renewable energy communities, and the use of unavoidable waste heat and cold when planning, including early spatial planning, designing, building and renovating urban infrastructure, industrial, commercial or residential areas and energy infrastructure, including electricity, district heating and cooling, natural gas and alternative fuel networks. **Contracting Parties** shall, in particular, encourage local and regional administrative bodies to include heating and cooling from renewable sources in the planning of city infrastructure where appropriate, and to consult the network operators to reflect the impact

of energy efficiency and demand response programs as well as specific provisions on renewables self-consumption and renewable energy communities, on the infrastructure development plans of the operators.

4. **Contracting Parties** shall introduce appropriate measures in their building regulations and codes in order to increase the share of all kinds of energy from renewable sources in the building sector.

In establishing such measures or in their support schemes, **Contracting Parties** may take into account, where applicable, national measures relating to substantial increases in renewables self-consumption, in local energy storage and in energy efficiency, relating to cogeneration and relating to passive, low-energy or zero-energy buildings.

Contracting Parties shall, in their building regulations and codes or by other means with equivalent effect, require the use of minimum levels of energy from renewable sources in new buildings and in existing buildings that are subject to major renovation in so far as technically, functionally and economically feasible, and reflecting the results of the cost-optimal calculation carried out pursuant to Article 5(2) of Directive 2010/31/EU **as adapted and adopted by Ministerial Council Decision 2010/02/MC-EnC** and in so far as this does not negatively affect indoor air quality. **Contracting Parties** shall permit those minimum levels to be fulfilled, *inter alia*, through efficient district heating and cooling using a significant share of renewable energy and waste heat and cold.

The requirements laid down in the first subparagraph shall apply to the armed forces only to the extent that its application does not cause any conflict with the nature and primary aim of the activities of the armed forces and with the exception of material used exclusively for military purposes.

5. **Contracting Parties** shall ensure that new public buildings, and existing public buildings that are subject to major renovation, at national, regional and local level, fulfil an exemplary role in the context of this Directive from 1 January 2012. **Contracting Parties** may, *inter alia*, allow that obligation to be fulfilled by complying with nearly zero-energy building provisions as required in Directive 2010/31/EU **as adapted and adopted by Ministerial Council Decision 2010/02/MC-EnC** or by providing for the roofs of public or mixed private-public buildings to be used by third parties for installations that produce energy from renewable sources.

6. With respect to their building regulations and codes, **Contracting Parties** shall promote the use of renewable heating and cooling systems and equipment that achieve a significant reduction of energy consumption. To that end, **Contracting Parties** shall use energy or eco-labels or other appropriate certificates or standards developed at national or **Energy Community** level, where these exist, and ensure the provision of adequate information and advice on renewable, highly energy efficient alternatives as well as eventual financial instruments and incentives available in the case of replacement, with a view to promoting an increased replacement rate of old heating systems and an increased switch to solutions based on renewable energy in accordance with Directive 2010/31/EU **as adapted and adopted by Ministerial Council Decision 2010/02/MC-EnC**.

7. **Contracting Parties** shall carry out an assessment of their potential of energy from renewable sources and of the use of waste heat and cold in the heating and cooling sector. That assessment shall, where appropriate, include spatial analysis of areas suitable for low-ecological-risk deployment and the potential for small-scale household projects and shall be included in the second comprehensive assessment required pursuant to Article 14(1) of Directive 2012/27/EU **as adapted and adopted by Ministerial Council Decision 2015/08/MC-EnC**, for the first time by 31 December 2022 and in the subsequent updates of the comprehensive assessments.

8. **Contracting Parties** shall assess the regulatory and administrative barriers to long-term renewables power purchase agreements, and shall remove unjustified barriers to, and facilitate the uptake of, such agreements. **Contracting Parties** shall ensure that those agreements are not subject to disproportionate or discriminatory procedures or charges.

Contracting Parties shall describe policies and measures facilitating the uptake of renewables power purchase agreements in their integrated national energy and climate plans and progress reports pursuant to Regulation (EU) 2018/1999 **as adapted and adopted by Ministerial Council Decision 2021/14/MC-EnC and Ministerial Council Decision 2022/02/MC-EnC.**

Article 16

Organisation and duration of the permit-granting process

1. **Contracting Parties** shall set up or designate one or more contact points. Those contact points shall, upon request by the applicant, guide through and facilitate the entire administrative permit application and granting process. The applicant shall not be required to contact more than one contact point for the entire process. The permit-granting process shall cover the relevant administrative permits to build, repower and operate plants for the production of energy from renewable sources and assets necessary for their connection to the grid. The permit-granting process shall comprise all procedures from the acknowledgment of the receipt of the application to the transmission of the outcome of the procedure referred to in paragraph 2.

2. The contact point shall guide the applicant through the administrative permit application process in a transparent manner up to the delivery of one or several decisions by the responsible authorities at the end of the process, provide the applicant with all necessary information and involve, where appropriate, other administrative authorities. Applicants shall be allowed to submit relevant documents also in digital form.

3. The contact point shall make available a manual of procedures for developers of renewable energy production projects and shall provide that information also online, addressing distinctly also small-scale projects and renewables self-consumers projects. The online information shall indicate the contact point relevant to the applicant's application. If a Contracting Party has more than one contact point, the online information shall indicate the contact point relevant to the applicant's application.

4. Without prejudice to paragraph 7, the permit-granting process referred to in paragraph 1 shall not exceed two years for power plants, including all relevant procedures of competent authorities. Where duly justified on the grounds of extraordinary circumstances, that two-year period may be extended by up to one year.

5. Without prejudice to paragraph 7, the permit-granting process shall not exceed one year for installations with an electrical capacity of less than 150 kW. Where duly justified on the grounds of extraordinary circumstances, that one-year period may be extended by up to one year.

Contracting Parties shall ensure that applicants have easy access to simple procedures for the settlement of disputes concerning the permit-granting process and the issuance of permits to build and operate renewable energy plants, including, where applicable, alternative dispute resolution mechanisms.

6. **Contracting Parties** shall facilitate the repowering of existing renewable energy plants by ensuring a simplified and swift permit-granting process. The length of that process shall not exceed one year.

Where duly justified on the grounds of extraordinary circumstances, such as on grounds of overriding safety reasons where the repowering project impacts substantially on the grid or the original capacity, size

or performance of the installation, that one-year period may be extended by up to one year.

7. The deadlines established in this Article shall apply without prejudice to obligations under applicable **Energy Community** environmental law, to judicial appeals, remedies and other proceedings before a court or tribunal, and to alternative dispute resolution mechanisms, including complaints procedures, non-judicial appeals and remedies, and may be extended for the duration of such procedures.

8. **Contracting Parties** may establish a simple-notification procedure for grid connections for repowering projects as referred to in Article 17(1). Where **Contracting Parties** do so, repowering shall be permitted following notification to the relevant authority where no significant negative environmental or social impact is expected. That authority shall decide within six months of receipt of a notification whether this is sufficient.

Where the relevant authority decides that a notification is sufficient, it shall automatically grant the permit. Where that authority decides that the notification is not sufficient, it shall be necessary to apply for a new permit and the time-limits referred to in paragraph 6 shall apply.

Article 17

Simple-notification procedure for grid connections

1. **Contracting Parties** shall establish a simple-notification procedure for grid connections whereby installations or aggregated production units of renewables self-consumers and demonstration projects, with an electrical capacity of 10,8 kW or less, or equivalent for connections other than three-phase connections, are to be connected to the grid following a notification to the distribution system operator.

The distribution system operator may, within a limited period following the notification, reject the requested grid connection or propose an alternative grid connection point on justified grounds of safety concerns or technical incompatibility of the system components. In the case of a positive decision by the distribution system operator, or in the absence of a decision by the distribution system operator within one month following the notification, the installation or aggregated production unit may be connected.

2. **Contracting Parties** may allow a simple-notification procedure for installations or aggregated production units with an electrical capacity of above 10,8 kW and up to 50 kW, provided that grid stability, grid reliability and grid safety are maintained.

Article 18

Information and training

1. **Contracting Parties** shall ensure that information on support measures is made available to all relevant actors, such as consumers including low-income, vulnerable consumers, renewables self-consumers, renewable energy communities, builders, installers, architects, suppliers of heating, cooling and electricity equipment and systems, and suppliers of vehicles compatible with the use of renewable energy and of intelligent transport systems.

2. **Contracting Parties** shall ensure that information on the net benefits, cost and energy efficiency of equipment and systems for the use of heating, cooling and electricity from renewable sources is made available either by the supplier of the equipment or system or by the competent authorities.

3. **Contracting Parties** shall ensure that certification schemes or equivalent qualification schemes are available for installers of small-scale biomass boilers and stoves, solar photovoltaic and solar thermal systems, shallow geothermal systems and heat pumps. Those schemes may take into account existing schemes and structures as appropriate, and shall be based on the criteria laid down in Annex IV. Each **Contracting Party** shall recognise the certification awarded by other **Contracting Parties** in accordance with those criteria.

4. **Contracting Parties** shall make information on certification schemes or equivalent qualification schemes as referred to in paragraph 3 available to the public. **Contracting Parties** may also make the list of installers who are qualified or certified in accordance with paragraph 3 available to the public.

5. **Contracting Parties** shall ensure that guidance is made available to all relevant actors, in particular to planners and architects so that they are able properly to consider the optimal combination of energy from renewable sources, of high-efficiency technologies, and of district heating and cooling when planning, designing, building and renovating industrial, commercial or residential areas.

6. Contracting Parties, where appropriate with the participation of local and regional authorities, shall develop suitable information, awareness-raising, guidance or training programmes in order to inform citizens of how to exercise their rights as active customers, and of the benefits and practicalities, including technical and financial aspects, of developing and using energy from renewable sources, including by renewables self-consumption or in the framework of renewable energy communities.

Article 19

Guarantees of origin for energy from renewable sources

1. For the purposes of demonstrating to final customers the share or quantity of energy from renewable sources in an energy supplier's energy mix and in the energy supplied to consumers under contracts marketed with reference to the consumption of energy from renewable sources, **Contracting Parties** shall ensure that the origin of energy from renewable sources can be guaranteed as such within the meaning of this Directive, in accordance with objective, transparent and non-discriminatory criteria.

2. To that end, **Contracting Parties** shall ensure that a guarantee of origin is issued in response to a request from a producer of energy from renewable sources, unless **Contracting Parties** decide, for the purposes of accounting for the market value of the guarantee of origin, not to issue such a guarantee of origin to a producer that receives financial support from a support scheme. **Contracting Parties** may arrange for guarantees of origin to be issued for energy from non-renewable sources. Issuance of guarantees of origin may be made subject to a minimum capacity limit. A guarantee of origin shall be of the standard size of 1 MWh. No more than one guarantee of origin shall be issued in respect of each unit of energy produced.

Contracting Parties shall ensure that the same unit of energy from renewable sources is taken into account only once.

Contracting Parties shall ensure that when a producer receives financial support from a support scheme, the market value of the guarantee of origin for the same production is taken into account appropriately in the relevant support scheme.

It shall be presumed that the market value of the guarantee of origin has been taken into account appropriately in any of the following cases:

(a) where the financial support is granted by way of a tendering procedure or a tradable green certificate

system;

(b) where the market value of the guarantees of origin is administratively taken into account in the level of financial support; or

(c) where the guarantees of origin are not issued directly to the producer but to a supplier or consumer who buys the energy from renewable sources either in a competitive setting or in a long-term renewables power purchase agreement.

In order to take into account the market value of the guarantee of origin, **Contracting Parties** may, *inter alia*, decide to issue a guarantee of origin to the producer and immediately cancel it.

The guarantee of origin shall have no function in terms of a **Contracting Party's** compliance with Article 3. Transfers of guarantees of origin, separately or together with the physical transfer of energy, shall have no effect on the decision of **Contracting Parties** to use statistical transfers, joint projects or joint support schemes for compliance with Article 3 or on the calculation of the gross final consumption of energy from renewable sources in accordance with Article 7.

3. For the purposes of paragraph 1, guarantees of origin shall be valid for 12 months after the production of the relevant energy unit. **Contracting Parties** shall ensure that all guarantees of origin that have not been cancelled expire at the latest 18 months after the production of the energy unit. **Contracting Parties** shall include expired guarantees of origin in the calculation of their residual energy mix.

4. For the purposes of disclosure referred to in paragraphs 8 and 13, **Contracting Parties** shall ensure that energy companies cancel guarantees of origin at the latest six months after the end of the validity of the guarantee of origin.

5. **Contracting Parties** or designated competent bodies shall supervise the issuance, transfer and cancellation of guarantees of origin. The designated competent bodies shall not have overlapping geographical responsibilities, and shall be independent of production, trade and supply activities.

6. **Contracting Parties** or the designated competent bodies shall put in place appropriate mechanisms to ensure that guarantees of origin are issued, transferred and cancelled electronically and are accurate, reliable and fraud-resistant. **Contracting Parties** and designated competent bodies shall ensure that the requirements they impose comply with the standard CEN - EN 16325.

7. A guarantee of origin shall specify at least:

(a) the energy source from which the energy was produced and the start and end dates of production;

(b) whether it relates to:

(i) electricity;

(ii) gas, including hydrogen; or

(iii) heating or cooling;

(c) the identity, location, type and capacity of the installation where the energy was produced;

(d) whether the installation has benefited from investment support and whether the unit of energy has benefited in any other way from a national support scheme, and the type of support scheme;

(e) the date on which the installation became operational; and

(f) the date and country of issue and a unique identification number.

Simplified information may be specified on guarantees of origin from installations of less than 50 kW.

8. Where an electricity supplier is required to demonstrate the share or quantity of energy from renewable sources in its energy mix for the purposes of point (a) of Article **18 and Annex I to Directive 2019/944/EC, as adapted and adopted by Ministerial Council Decision 2021/13/MC-EnC**, it shall do so by using guarantees of origin except:

(a) as regards the share of its energy mix corresponding to non-tracked commercial offers, if any, for which the supplier may use the residual mix; or

(b) where a **Contracting Party** decides not to issue guarantees of origin to a producer that receives financial support from a support scheme.

Where **Contracting Parties** have arranged to have guarantees of origin for other types of energy, suppliers shall use for disclosure the same type of guarantees of origin as the energy supplied. Likewise, guarantees of origin created pursuant to Article 14(10) of Directive 2012/27/EU, **as adapted and adopted by Ministerial Council Decision 2015/08/MC-EnC**, may be used to substantiate any requirement to demonstrate the quantity of electricity produced from high-efficiency cogeneration. For the purposes of paragraph 2 of this Article, where electricity is generated from high-efficiency cogeneration using renewable sources, only one guarantee of origin specifying both characteristics may be issued.

9. **Contracting Parties** shall recognise guarantees of origin issued by other **Contracting Parties** in accordance with this Directive exclusively as evidence of the elements referred to in paragraph 1 and points (a) to (f) of the first subparagraph of paragraph 7. A **Contracting Party** may refuse to recognise a guarantee of origin only where it has well-founded doubts about its accuracy, reliability or veracity. The **Contracting Party** shall notify the **Secretariat** of such a refusal and its justification.

10. If the **Energy Community Secretariat** finds that a refusal to recognise a guarantee of origin is unfounded, the **Energy Community Secretariat** may **issue an opinion inviting** the **Contracting Party** in question to recognise it. **The Contracting Party in question shall take utmost account of the opinion and provide reasons for any deviation in writing.**¹³

11. **Contracting Parties** shall not recognise guarantees of origins issued by a third country except where the Union **or the Energy Community** has concluded an agreement with that third country on mutual recognition of guarantees of origin issued in the **Contracting Parties** and compatible guarantees of origin systems established in that third country, and only where there is direct import or export of energy.

12. A **Contracting Party** may, in accordance with **Energy Community** law, introduce objective, transparent and non-discriminatory criteria for the use of guarantees of origin in accordance with the obligations laid down in Article **18 and Annex I to Directive 2019/944/EC, as adapted and adopted by Ministerial Council Decision 2021/13/MC-EnC**.

13. The **Secretariat** shall adopt a report assessing options to establish an **Energy Community**-wide green label with a view to promoting the use of renewable energy coming from new installations. Suppliers shall use the information contained in guarantees of origin to demonstrate compliance with the requirements of such a label.

¹³ The text displayed here corresponds to Article 4 of Ministerial Council Decision 2021/14/MC-EnC

Article 20

Access to and operation of the grids

1. Where relevant, **Contracting Parties** shall assess the need to extend existing gas network infrastructure to facilitate the integration of gas from renewable sources.
2. Where relevant, **Contracting Parties** shall require transmission system operators and distribution system operators in their territory to publish technical rules in accordance with Article 8 of Directive 2009/73/EC **as adapted and adopted by Ministerial Council Decision Decision 2011/02/MC-EnC**, in particular regarding network connection rules that include gas quality, gas odorization and gas pressure requirements. **Contracting Parties** shall also require transmission and distribution system operators to publish the connection tariffs to connect gas from renewable sources based on objective, transparent and non-discriminatory criteria.
3. Subject to their assessment included in the integrated national energy and climate plans in accordance with Annex I to Regulation (EU) 2018/1999 **as adapted and adopted by Ministerial Council Decision 2021/14/MC-EnC and Ministerial Council Decision 2022/02/MC-EnC** on the necessity to build new infrastructure for district heating and cooling from renewable sources in order to achieve the **Energy Community** target set in Article 3(1) of this Directive, **Contracting Parties** shall, where relevant, take the necessary steps with a view to developing a district heating and cooling infrastructure to accommodate the development of heating and cooling from large biomass, solar energy, ambient energy and geothermal energy facilities and from waste heat and cold.

Article 21

Renewables self-consumers

1. **Contracting Parties** shall ensure that consumers are entitled to become renewables self-consumers, subject to this Article.
2. **Contracting Parties** shall ensure that renewables self-consumers, individually or through aggregators, are entitled:
 - (a) to generate renewable energy, including for their own consumption, store and sell their excess production of renewable electricity, including through renewables power purchase agreements, electricity suppliers and peer-to-peer trading arrangements, without being subject:
 - (i) in relation to the electricity that they consume from or feed into the grid, to discriminatory or disproportionate procedures and charges, and to network charges that are not cost-reflective;
 - (ii) in relation to their self-generated electricity from renewable sources remaining within their premises, to discriminatory or disproportionate procedures, and to any charges or fees;
 - (b) to install and operate electricity storage systems combined with installations generating renewable electricity for self-consumption without liability for any double charge, including network charges, for stored electricity remaining within their premises;
 - (c) to maintain their rights and obligations as final consumers;
 - (d) to receive remuneration, including, where applicable, through support schemes, for the self-generated

renewable electricity that they feed into the grid, which reflects the market value of that electricity and which may take into account its long-term value to the grid, the environment and society.

3. **Contracting Parties** may apply non-discriminatory and proportionate charges and fees to renewables self-consumers, in relation to their self-generated renewable electricity remaining within their premises in one or more of the following cases:

(a) if the self-generated renewable electricity is effectively supported via support schemes, only to the extent that the economic viability of the project and the incentive effect of such support are not undermined;

(b) from 1 December 2026, if the overall share of self-consumption installations exceeds 8 % of the total installed electricity capacity of a **Contracting Party**, and if it is demonstrated, by means of a cost-benefit analysis performed by the national regulatory authority of that **Contracting Party**, which is conducted by way of an open, transparent and participatory process, that the provision laid down in point (a)(ii) of paragraph 2 either results in a significant disproportionate burden on the long-term financial sustainability of the electric system, or creates an incentive exceeding what is objectively needed to achieve cost-effective deployment of renewable energy, and that such burden or incentive cannot be minimised by taking other reasonable actions; or

(c) if the self-generated renewable electricity is produced in installations with a total installed electrical capacity of more than 30 kW.

4. **Contracting Parties** shall ensure that renewables self-consumers located in the same building, including multi-apartment blocks, are entitled to engage jointly in activities referred to in paragraph 2 and that they are permitted to arrange sharing of renewable energy that is produced on their site or sites between themselves, without prejudice to the network charges and other relevant charges, fees, levies and taxes applicable to each renewables self-consumer. **Contracting Parties** may differentiate between individual renewables self-consumers and jointly acting renewables self-consumers. Any such differentiation shall be proportionate and duly justified.

5. The renewables self-consumer's installation may be owned by a third party or managed by a third party for installation, operation, including metering and maintenance, provided that the third party remains subject to the renewables self-consumer's instructions. The third party itself shall not be considered to be a renewables self-consumer.

6. **Contracting Parties** shall put in place an enabling framework to promote and facilitate the development of renewables self-consumption based on an assessment of the existing unjustified barriers to, and of the potential of, renewables self-consumption in their territories and energy networks. That enabling framework shall, *inter alia*:

(a) address accessibility of renewables self-consumption to all final customers, including those in low-income or vulnerable households;

(b) address unjustified barriers to the financing of projects in the market and measures to facilitate access to finance;

(c) address other unjustified regulatory barriers to renewables self-consumption, including for tenants;

(d) address incentives to building owners to create opportunities for renewables self-consumption, including for tenants;

(e) grant renewables self-consumers, for self-generated renewable electricity that they feed into the grid, non-discriminatory access to relevant existing support schemes as well as to all electricity market segments;

(f) ensure that renewables self-consumers contribute in an adequate and balanced way to the overall cost sharing of the system when electricity is fed into the grid.

Contracting Parties shall include a summary of the policies and measures under the enabling framework and an assessment of their implementation respectively in their integrated national energy and climate plans and progress reports pursuant to Regulation (EU) 2018/1999 **as adapted and adopted by Ministerial Council Decision 2021/14/MC-EnC and Ministerial Council Decision 2022/02/MC-EnC.**

7. This Article shall apply without prejudice to Articles **18 and 19 of the Energy Community Treaty.**

Article 22

Renewable energy communities

1. **Contracting Parties** shall ensure that final customers, in particular household customers, are entitled to participate in a renewable energy community while maintaining their rights or obligations as final customers, and without being subject to unjustified or discriminatory conditions or procedures that would prevent their participation in a renewable energy community, provided that for private undertakings, their participation does not constitute their primary commercial or professional activity.

2. **Contracting Parties** shall ensure that renewable energy communities are entitled to:

(a) produce, consume, store and sell renewable energy, including through renewables power purchase agreements;

(b) share, within the renewable energy community, renewable energy that is produced by the production units owned by that renewable energy community, subject to the other requirements laid down in this Article and to maintaining the rights and obligations of the renewable energy community members as customers;

(c) access all suitable energy markets both directly or through aggregation in a non-discriminatory manner.

3. **Contracting Parties** shall carry out an assessment of the existing barriers and potential of development of renewable energy communities in their territories.

4. **Contracting Parties** shall provide an enabling framework to promote and facilitate the development of renewable energy communities. That framework shall ensure, *inter alia*, that:

(a) unjustified regulatory and administrative barriers to renewable energy communities are removed;

(b) renewable energy communities that supply energy or provide aggregation or other commercial energy services are subject to the provisions relevant for such activities;

(c) the relevant distribution system operator cooperates with renewable energy communities to facilitate energy transfers within renewable energy communities;

(d) renewable energy communities are subject to fair, proportionate and transparent procedures, including registration and licensing procedures, and cost-reflective network charges, as well as relevant charges, levies and taxes, ensuring that they contribute, in an adequate, fair and balanced way, to the overall cost sharing of the system in line with a transparent cost-benefit analysis of distributed energy sources developed by the national competent authorities;

(e) renewable energy communities are not subject to discriminatory treatment with regard to their activities,

rights and obligations as final customers, producers, suppliers, distribution system operators, or as other market participants;

(f) the participation in the renewable energy communities is accessible to all consumers, including those in low-income or vulnerable households;

(g) tools to facilitate access to finance and information are available;

(h) regulatory and capacity-building support is provided to public authorities in enabling and setting up renewable energy communities, and in helping authorities to participate directly;

(i) rules to secure the equal and non-discriminatory treatment of consumers that participate in the renewable energy community are in place.

5. The main elements of the enabling framework referred to in paragraph 4, and of its implementation, shall be part of the updates of the **Contracting Parties'** integrated national energy and climate plans and progress reports pursuant to Regulation (EU) 2018/1999 **as adapted and adopted by Ministerial Council Decision 2021/14/MC-EnC and Ministerial Council Decision 2022/02/MC-EnC.**

6. **Contracting Parties** may provide for renewable energy communities to be open to cross-border participation.

7. Without prejudice to Article **18 of the Energy Community Treaty**, **Contracting Parties** shall take into account specificities of renewable energy communities when designing support schemes in order to allow them to compete for support on an equal footing with other market participants.

Article 23

Mainstreaming renewable energy in heating and cooling

1. In order to promote the use of renewable energy in the heating and cooling sector, each **Contracting Party** shall endeavour to increase the share of renewable energy in that sector by an indicative 1,3 percentage points as an annual average calculated for the periods 2021 to 2025 and 2026 to 2030, starting from the share of renewable energy in the heating and cooling sector in 2020, expressed in terms of national share of final energy consumption and calculated in accordance with the methodology set out in Article 7, without prejudice to paragraph 2 of this Article. That increase shall be limited to an indicative 1,1 percentage points for **Contracting Parties** where waste heat and cold is not used. **Contracting Parties** shall, where appropriate, prioritise the best available technologies.

2. For the purposes of paragraph 1, when calculating its share of renewable energy in the heating and cooling sector and its average annual increase in accordance with that paragraph, each **Contracting Party**:

(a) may count waste heat and cold, subject to a limit of 40 % of the average annual increase;

(b) where its share of renewable energy in the heating and cooling sector is above 60 %, may count any such share as fulfilling the average annual increase; and

(c) where its share of renewable energy in the heating and cooling sector is above 50 % and up to 60 %, may count any such share as fulfilling half of the average annual increase.

When deciding which measures to adopt for the purposes of deploying energy from renewable sources in the heating and cooling sector, **Contracting Parties** may take into account cost-effectiveness reflecting structural barriers arising from the high share of natural gas or cooling, or from a dispersed settlement

structure with low population density.

Where those measures would result in a lower average annual increase than that referred to in paragraph 1 of this Article, **Contracting Parties** shall make it public, for instance by the means of their integrated national energy and climate progress reports pursuant to Article 20 of Regulation (EU) 2018/1999 **as adapted and adopted by Ministerial Council Decision 2021/14/MC-EnC and Ministerial Council Decision 2022/02/MC-EnC**, and provide the **Secretariat** with reasons, including of choice of measures as referred to the second subparagraph of this paragraph.

3. On the basis of objective and non-discriminatory criteria, **Contracting Parties** may establish and make public a list of measures and may designate and make public the implementing entities, such as fuel suppliers, public or professional bodies, which are to contribute to the average annual increase referred to in paragraph 1.

4. **Contracting Parties** may implement the average annual increase referred to in paragraph 1 by means, *inter alia*, of one or more of the following options:

(a) physical incorporation of renewable energy or waste heat and cold in the energy and energy fuel supplied for heating and cooling;

(b) direct mitigation measures such as the installation of highly efficient renewable heating and cooling systems in buildings, or the use of renewable energy or waste heat and cold in industrial heating and cooling processes;

(c) indirect mitigation measures covered by tradable certificates proving compliance with the obligation laid down in paragraph 1 through support to indirect mitigation measures, carried out by another economic operator such as an independent renewable technology installer or energy service company providing renewable installation services;

(d) other policy measures, with an equivalent effect, to reach the average annual increase referred to in paragraph 1, including fiscal measures or other financial incentives.

When adopting and implementing the measures referred to in the first subparagraph, **Contracting Parties** shall aim to ensure the accessibility of measures to all consumers, in particular those in low-income or vulnerable households, who would not otherwise possess sufficient up-front capital to benefit.

5. **Contracting Parties** may use the structures established under the national energy savings obligations set out in Article 7 of Directive 2012/27/EU **as adapted and adopted by Ministerial Council Decision 2015/08/MC-EnC** to implement and monitor the measures referred to in paragraph 3 of this Article.

6. Where entities are designated under paragraph 3, **Contracting Parties** shall ensure that the contribution by those designated entities is measurable and verifiable and that the designated entities report annually on:

(a) the total amount of energy supplied for heating and cooling;

(b) the total amount of renewable energy supplied for heating and cooling;

(c) the amount of waste heat and cold supplied for heating and cooling;

(d) the share of renewable energy and waste heat and cold in the total amount of energy supplied for heating and cooling; and

(e) the type of renewable energy source.

Article 24

District heating and cooling

1. **Contracting Parties** shall ensure that information on the energy performance and the share of renewable energy in their district heating and cooling systems is provided to final consumers in an easily accessible manner, such as on the suppliers' websites, on annual bills or upon request.

2. **Contracting Parties** shall lay down the necessary measures and conditions to allow customers of district heating or cooling systems which are not efficient district heating and cooling systems, or which are not such a system by 31 December 2025 on the basis of a plan approved by the competent authority, to disconnect by terminating or modifying their contract in order to produce heating or cooling from renewable sources themselves.

Where the termination of a contract is linked to physical disconnection, such a termination may be made conditional on compensation for the costs directly incurred as a result of the physical disconnection and for the undepreciated portion of assets needed to provide heat and cold to that customer.

3. **Contracting Parties** may restrict the right to disconnect by terminating or modifying a contract in accordance with paragraph 2 to customers who can demonstrate that the planned alternative supply solution for heating or cooling results in a significantly better energy performance. The energy-performance assessment of the alternative supply solution may be based on the energy performance certificate.

4. **Contracting Parties** shall lay down the necessary measures to ensure that district heating and cooling systems contribute to the increase referred to in Article 23(1) of this Directive by implementing at least one of the two following options:

(a) Endeavour to increase the share of energy from renewable sources and from waste heat and cold in district heating and cooling by at least one percentage point as an annual average calculated for the period 2021 to 2025 and for the period 2026 to 2030, starting from the share of energy from renewable sources and from waste heat and cold in district heating and cooling in 2020, expressed in terms of share of final energy consumption in district heating and cooling, by implementing measures that can be expected to trigger that average annual increase in years with normal climatic conditions.

Contracting Parties with a share of energy from renewable sources and from waste heat and cold in district heating and cooling above 60 % may count any such share as fulfilling the average annual increase referred to in the first subparagraph of this point.

Contracting Parties shall lay down the necessary measures to implement the average annual increase referred to in the first subparagraph of this point in their integrated national energy and climate plans pursuant to Annex I to Regulation (EU) 2018/1999, **as adapted and adopted by Ministerial Council Decision 2021/14/MC-EnC and Ministerial Council Decision 2022/02/MC-EnC.**

(b) Ensure that operators of district heating or cooling systems are obliged to connect suppliers of energy from renewable sources and from waste heat and cold or are obliged to offer to connect and purchase heat or cold from renewable sources and from waste heat and cold from third-party suppliers based on non-discriminatory criteria set by the competent authority of the **Contracting Party** concerned, where they need to do one or more of the following:

- (i) meet demand from new customers;
- (ii) replace existing heat or cold generation capacity;

(iii) expand existing heat or cold generation capacity.

5. Where a **Contracting Party** exercises the option referred to in point (b) of paragraph 4, an operator of a district heating or cooling system may refuse to connect and to purchase heat or cold from a third-party supplier where:

- (a) the system lacks the necessary capacity due to other supplies of waste heat and cold, of heat or cold from renewable sources or of heat or cold produced by high-efficiency cogeneration;
- (b) the heat or cold from the third-party supplier does not meet the technical parameters necessary to connect and ensure the reliable and safe operation of the district heating and cooling system; or
- (c) the operator can demonstrate that providing access would lead to an excessive heat or cold cost increase for final customers compared to the cost of using the main local heat or cold supply with which the renewable source or waste heat and cold would compete.

Contracting Parties shall ensure that, when an operator of a district heating or cooling system refuses to connect a supplier of heating or cooling pursuant to the first subparagraph, information on the reasons for the refusal, as well as the conditions to be met and measures to be taken in the system in order to enable the connection, is provided by that operator to the competent authority in accordance with paragraph 9.

6. Where a Contracting Party exercises the option referred to in point (b) of paragraph 4, it may exempt operators of the following district heating and cooling systems from the application of that point:

- (a) efficient district heating and cooling;
- (b) efficient district heating and cooling that exploits high-efficiency cogeneration;
- (c) district heating and cooling that, on the basis of a plan approved by the competent authority, is efficient district heating and cooling by 31 December 2025;
- (d) district heating and cooling with a total rated thermal input below 20 MW.

7. The right to disconnect by terminating or modifying a contract in accordance with paragraph 2 may be exercised by individual customers, by joint undertakings formed by customers or by parties acting on behalf of customers. For multi-apartment blocks, such disconnection may be exercised only at a whole building level in accordance with the applicable housing law.

8. **Contracting Parties** shall require electricity distribution system operators to assess at least every four years, in cooperation with the operators of district heating or cooling systems in their respective area, the potential for district heating or cooling systems to provide balancing and other system services, including demand response and storing of excess electricity from renewable sources, and whether the use of the identified potential would be more resource- and cost-efficient than alternative solutions.

9. **Contracting Parties** shall ensure that the rights of consumers and the rules for operating district heating and cooling systems in accordance with this Article are clearly defined and enforced by the competent authority.

10. A **Contracting Party** shall not be required to apply paragraphs 2 to 9 of this Article where:

- (a) its share of district heating and cooling is less than or equal to 2 % of the overall consumption of energy in heating and cooling on 24 December **2021**;
- (b) its share of district heating and cooling is increased above 2 % by developing new efficient district heating and cooling based on its integrated national energy and climate plan pursuant to Annex I to Regulation (EU) 2018/1999, **as adapted and adopted by Ministerial Council Decision 2021/14/**

MC-EnC and Ministerial Council Decision 2022/02/MC-EnC or the assessment referred to in Article 15(7) of this Directive; or

(c) its share of systems referred to in paragraph 6 of this Article constitutes over 90 % of total sales of its district heating and cooling.

Article 25

Mainstreaming renewable energy in the transport sector

1. In order to mainstream the use of renewable energy in the transport sector, each **Contracting Party** shall set an obligation on fuel suppliers to ensure that the share of renewable energy within the final consumption of energy in the transport sector is at least 14 % by 2030 (minimum share) in accordance with an indicative trajectory set by the **Contracting Party** and calculated in accordance with the methodology set out in this Article and in Articles 26 and 27. <...>¹⁴

Contracting Parties may exempt, or distinguish between, different fuel suppliers and different energy carriers when setting the obligation on the fuel suppliers, ensuring that the varying degrees of maturity and the cost of different technologies are taken into account.

For the calculation of the minimum share referred to in the first subparagraph, **Contracting Parties**:

(a) shall take into account renewable liquid and gaseous transport fuels of non-biological origin also when they are used as intermediate products for the production of conventional fuels; and

(b) may take into account recycled carbon fuels.

Within the minimum share referred to in the first subparagraph, the contribution of advanced biofuels and biogas produced from the feedstock listed in Part A of Annex IX as a share of final consumption of energy in the transport sector shall be at least 0,2 % in 2022, at least 1 % in 2025 and at least 3,5 % in 2030.

Contracting Parties may exempt fuel suppliers supplying fuel in the form of electricity or renewable liquid and gaseous transport fuels of non-biological origin from the requirement to comply with the minimum share of advanced biofuels and biogas produced from the feedstock listed in Part A of Annex IX with respect to those fuels.

2. The greenhouse gas emissions savings from the use of renewable liquid and gaseous transport fuels of non-biological origin shall be at least 70 % from 1 January 2024.

<...>

The Energy Community Secretariat shall inform the Permanent High Level Group about any delegated acts adopted in accordance with Article 25(2) of Directive (EU) 2018/2001 within one week of their adoption. The Permanent High Level Group is empowered pursuant to Article 53(d) of the Energy Community Treaty to take measures to incorporate the relevant delegated acts into the Energy Community acquis. ¹⁵

¹⁴ Not applicable according to Article 4 of Ministerial Council Decision 2021/14/MC-EnC

¹⁵ The text displayed here corresponds to Article 4 of Ministerial Council Decision 2021/14/MC-EnC

Article 26

Specific rules for biofuels, bioliquids and biomass fuels produced from food and feed crops

1. For the calculation of a **Contracting Party's** gross final consumption of energy from renewable sources referred to in Article 7 and the minimum share referred to in the first subparagraph of Article 25(1), the share of biofuels and bioliquids, as well as of biomass fuels consumed in transport, where produced from food and feed crops, shall be no more than one percentage point higher than the share of such fuels in the final consumption of energy in the road and rail transport sectors in 2022 in that **Contracting Party**, with a maximum of 7 % of final consumption of energy in the road and rail transport sectors in that **Contracting Party**.

Where that share is below 1 % in a **Contracting Party**, it may be increased to a maximum of 2 % of the final consumption of energy in the road and rail transport sectors.

Contracting Parties may set a lower limit and may distinguish, for the purposes of Article 29(1), between different biofuels, bioliquids and biomass fuels produced from food and feed crops, taking into account best available evidence on indirect land-use change impact. **Contracting Parties** may, for example, set a lower limit for the share of biofuels, bioliquids and biomass fuels produced from oil crops.

Where the share of biofuels and bioliquids, as well as of biomass fuels consumed in transport, produced from food and feed crops in a **Contracting Party** is limited to a share lower than 7 % or a **Contracting Party** decides to limit the share further, that Contracting Party may reduce the minimum share referred to in the first subparagraph of Article 25(1) accordingly, by a maximum of 7 percentage points.

2. For the calculation of a **Contracting Party's** gross final consumption of energy from renewable sources referred to in Article 7 and the minimum share referred to in the first subparagraph of Article 25(1), the share of high indirect land-use change-risk biofuels, bioliquids or biomass fuels produced from food and feed crops for which a significant expansion of the production area into land with high-carbon stock is observed shall not exceed the level of consumption of such fuels in that **Contracting Party** in 2019, unless they are certified to be low indirect land-use change-risk biofuels, bioliquids or biomass fuels pursuant to this paragraph.

From 31 December 2026 until 31 December 2030 at the latest, that limit shall gradually decrease to 0 %.

<...>

The Energy Community Secretariat shall inform the Permanent High Level Group about any delegated acts adopted in accordance with Article 26(2) of Directive (EU) 2018/2001 within one week of their adoption. The Permanent High Level Group is empowered pursuant to Article 53(d) of the Energy Community Treaty to take measures to incorporate the relevant delegated acts into the Energy Community acquis¹⁶.

¹⁶ The text displayed here corresponds to Article 4 of Ministerial Council Decision 2021/14/MC-EnC

Article 27

Calculation rules with regard to the minimum shares of renewable energy in the transport sector

1. For the calculation of the minimum shares referred to in the first and fourth subparagraphs of Article 25(1), the following provisions shall apply:

(a) for the calculation of the denominator, that is the energy content of road- and rail- transport fuels supplied for consumption or use on the market, petrol, diesel, natural gas, biofuels, biogas, renewable liquid and gaseous transport fuels of non-biological origin, recycled carbon fuels and electricity supplied to the road and rail transport sectors, shall be taken into account;

(b) for the calculation of the numerator, that is the amount of energy from renewable sources consumed in the transport sector for the purposes of the first subparagraph of Article 25(1), the energy content of all types of energy from renewable sources supplied to all transport sectors, including renewable electricity supplied to the road and rail transport sectors, shall be taken into account. **Contracting Parties** may also take into account recycled carbon fuels.

For the calculation of the numerator, the share of biofuels and biogas produced from the feedstock listed in Part B of Annex IX shall <...> be limited to 1,7 % of the energy content of transport fuels supplied for consumption or use on the market. **Contracting Parties** may, where justified, modify that limit, taking into account the availability of feedstock. Any such modification shall be subject to approval by the **Secretariat**;

(c) for the calculation of both numerator and denominator, the values regarding the energy content of transport fuels set out in Annex III shall be used. For the determination of the energy content of transport fuels not included in Annex III, the **Contracting Parties** shall use the relevant ESO standards for the determination of the calorific values of fuels. Where no ESO standard has been adopted for that purpose, the relevant ISO standards shall be used.

<...> The Energy Community Secretariat shall inform the Permanent High Level Group about any delegated acts adopted in accordance with Article 27(1) of Directive (EU) 2018/2001 within one week of their adoption. The Permanent High Level Group is empowered pursuant to Article 53(d) of the Energy Community Treaty to take measures to incorporate the relevant delegated acts into the Energy Community acquis.¹⁷ 2. For the purposes of demonstrating compliance with the minimum shares referred to in Article 25(1):

(a) the share of biofuels and biogas for transport produced from the feedstock listed in Annex IX may be considered to be twice its energy content;

(b) the share of renewable electricity shall be considered to be four times its energy content when supplied to road vehicles and may be considered to be 1,5 times its energy content when supplied to rail transport;

(c) with the exception of fuels produced from food and feed crops, the share of fuels supplied in the aviation and maritime sectors shall be considered to be 1,2 times their energy content.

3. For the calculation of the share of renewable electricity in the electricity supplied to road and rail vehicles for the purposes of paragraph 1 of this Article, **Contracting Parties** shall refer to the two-year period before the year in which the electricity is supplied in their territory.

¹⁷ The text displayed here corresponds to Article 4 of Ministerial Council Decision 2021/14/MC-EnC

By way of derogation from the first subparagraph of this paragraph, to determine the share of electricity for the purposes of paragraph 1 of this Article, in the case of electricity obtained from a direct connection to an installation generating renewable electricity and supplied to road vehicles, that electricity shall be fully counted as renewable.

In order to ensure that the expected increase in demand for electricity in the transport sector beyond the current baseline is met with additional renewable energy generation capacity, the **Contracting Parties** shall **use** framework on additionality in the transport sector **developed by the European Commission**, and the **Secretariat** shall develop different options with a view to determining the baseline of **Contracting Parties** and measuring additionality.

For the purposes of this paragraph, where electricity is used for the production of renewable liquid and gaseous transport fuels of non-biological origin, either directly or for the production of intermediate products, the average share of electricity from renewable sources in the country of production, as measured two years before the year in question, shall be used to determine the share of renewable energy.

However, electricity obtained from direct connection to an installation generating renewable electricity may be fully counted as renewable electricity where it is used for the production of renewable liquid and gaseous transport fuels of non-biological origin, provided that the installation:

(a) comes into operation after, or at the same time as, the installation producing the renewable liquid and gaseous transport fuels of non-biological origin; and

(b) is not connected to the grid or is connected to the grid but evidence can be provided that the electricity concerned has been supplied without taking electricity from the grid.

Electricity that has been taken from the grid may be counted as fully renewable provided that it is produced exclusively from renewable sources and the renewable properties and other appropriate criteria have been demonstrated, ensuring that the renewable properties of that electricity are claimed only once and only in one end-use sector.

<...>

The Energy Community Secretariat shall inform the Permanent High Level Group about any delegated acts adopted in accordance with Article 27(3) of Directive (EU) 2018/2001 within one week of their adoption. The Permanent High Level Group is empowered pursuant to Article 53(d) of the Energy Community Treaty to take measures to incorporate the relevant delegated acts into the Energy Community acquis. ¹⁸

Article 28

Other provisions on renewable energy in the transport sector

1. With a view to minimising the risk of single consignments being claimed more than once in the **Energy Community, Contracting Parties** and the **Secretariat** shall strengthen cooperation among national systems and between national systems and voluntary schemes and verifiers established pursuant to Article 30, including, where appropriate, the exchange of data. Where the competent authority of one **Contracting Party** suspects or detects a fraud, it shall, where appropriate, inform the other **Contracting Parties**.

¹⁸ The text displayed here corresponds to Article 4 of Ministerial Council Decision 2021/14/MC-EnC

2. The **Secretariat** shall ensure that an **Energy Community** database is put in place to enable the tracing of liquid and gaseous transport fuels that are eligible for being counted towards the numerator referred to in point (b) of Article 27(1) or that are taken into account for the purposes referred to in points (a), (b), and (c) of the first subparagraph of Article 29(1). **Contracting Parties** shall require the relevant economic operators to enter into that database information on the transactions made and the sustainability characteristics of those fuels, including their life-cycle greenhouse gas emissions, starting from their point of production to the fuel supplier that places the fuel on the market. A **Contracting Party** may set up a national database that is linked to the **Energy Community** database ensuring that information entered is instantly transferred between the databases.

Fuel suppliers shall enter the information necessary to verify compliance with the requirements laid down in the first and fourth subparagraphs of Article 25(1) into the relevant database.

3. By 31 December 2024, **Contracting Parties** shall take measures to ensure the availability of fuels from renewable sources for transport including with regard to publicly accessible high-power recharging points and other refuelling infrastructure as provided for in their national policy frameworks. <...>

4. **Contracting Parties** shall have access to the **Energy Community** database referred to in paragraph 2 of this Article. They shall take measures to ensure that economic operators enter accurate information into the relevant database. <...>

5. **The Energy Community Secretariat shall inform the Permanent High Level Group about any delegated acts adopted in accordance with Article 28(5) of Directive (EU) 2018/2001 within one week of their adoption. The Permanent High Level Group is empowered pursuant to Article 53(d) of the Energy Community Treaty to take measures to incorporate the relevant delegated acts into the Energy Community acquis.**¹⁹

6. **The Energy Community Secretariat shall inform the Permanent High Level Group about any delegated acts adopted in accordance with Article 28(6) of Directive (EU) 2018/2001 within one week of their adoption. The Permanent High Level Group is empowered pursuant to Article 53(d) of the Energy Community Treaty to take measures to incorporate the relevant delegated acts into the Energy Community acquis.**²⁰

7. By 31 December 2025, in the context of the biennial assessment of progress made pursuant to Regulation (EU) 2018/1999, **as adapted and adopted by Ministerial Council Decision 2021/14/MC-EnC and Ministerial Council Decision 2022/02/MC-EnC**, the **Secretariat** shall assess whether the obligation relating to advanced biofuels and biogas produced from feedstock listed in Part A of Annex IX laid down in the fourth subparagraph of Article 25(1) effectively stimulates innovation and ensures greenhouse gas emissions savings in the transport sector. The **Secretariat** shall analyse in that assessment whether the application of this Article effectively avoids double accounting of renewable energy.

<...>²¹

¹⁹ The text displayed here corresponds to Article 4 of Ministerial Council Decision 2021/14/MC-EnC

²⁰ The text displayed here corresponds to Article 4 of Ministerial Council Decision 2021/14/MC-EnC

²¹ Not applicable according to Article 4 of Ministerial Council Decision 2021/14/MC-EnC

Article 29

Sustainability and greenhouse gas emissions saving criteria for biofuels, bioliquids and biomass fuels

1. Energy from biofuels, bioliquids and biomass fuels shall be taken into account for the purposes referred to in points (a), (b) and (c) of this subparagraph only if they fulfil the sustainability and the greenhouse gas emissions saving criteria laid down in paragraphs 2 to 7 and 10:

(a) contributing towards the **Energy Community** target set in Article 3(1) and the renewable energy shares of Contracting Parties;

(b) measuring compliance with renewable energy obligations, including the obligation laid down in Article 25;

(c) eligibility for financial support for the consumption of biofuels, bioliquids and biomass fuels.

However, biofuels, bioliquids and biomass fuels produced from waste and residues, other than agricultural, aquaculture, fisheries and forestry residues, are required to fulfil only the greenhouse gas emissions saving criteria laid down in paragraph 10 in order to be taken into account for the purposes referred to in points (a), (b) and (c) of the first subparagraph. This subparagraph shall also apply to waste and residues that are first processed into a product before being further processed into biofuels, bioliquids and biomass fuels.

Electricity, heating and cooling produced from municipal solid waste shall not be subject to the greenhouse gas emissions saving criteria laid down in paragraph 10.

Biomass fuels shall fulfil the sustainability and greenhouse gas emissions saving criteria laid down in paragraphs 2 to 7 and 10 if used in installations producing electricity, heating and cooling or fuels with a total rated thermal input equal to or exceeding 20 MW in the case of solid biomass fuels, and with a total rated thermal input equal to or exceeding 2 MW in the case of gaseous biomass fuels. **Contracting Parties** may apply the sustainability and greenhouse gas emissions saving criteria to installations with lower total rated thermal input.

The sustainability and the greenhouse gas emissions saving criteria laid down in paragraphs 2 to 7 and 10 shall apply irrespective of the geographical origin of the biomass.

2. Biofuels, bioliquids and biomass fuels produced from waste and residues derived not from forestry but from agricultural land shall be taken into account for the purposes referred to in points (a), (b) and (c) of the first subparagraph of paragraph 1 only where operators or national authorities have monitoring or management plans in place in order to address the impacts on soil quality and soil carbon. Information about how those impacts are monitored and managed shall be reported pursuant to Article 30(3).

3. Biofuels, bioliquids and biomass fuels produced from agricultural biomass taken into account for the purposes referred to in points (a), (b) and (c) of the first subparagraph of paragraph 1 shall not be made from raw material obtained from land with a high biodiversity value, namely land that had one of the following statuses in or after January 2008, whether or not the land continues to have that status:

(a) primary forest and other wooded land, namely forest and other wooded land of native species, where there is no clearly visible indication of human activity and the ecological processes are not significantly disturbed;

(b) highly biodiverse forest and other wooded land which is species-rich and not degraded, or has been

identified as being highly biodiverse by the relevant competent authority, unless evidence is provided that the production of that raw material did not interfere with those nature protection purposes;

(c) areas designated:

- (i) by law or by the relevant competent authority for nature protection purposes; or
- (ii) for the protection of rare, threatened or endangered ecosystems or species recognised by international agreements or included in lists drawn up by intergovernmental organisations or the International Union for the Conservation of Nature, subject to their recognition in accordance with the first subparagraph of Article 30(4), unless evidence is provided that the production of that raw material did not interfere with those nature protection purposes;

(d) highly biodiverse grassland spanning more than one hectare that is:

- (i) natural, namely grassland that would remain grassland in the absence of human intervention and that maintains the natural species composition and ecological characteristics and processes; or
- (ii) non-natural, namely grassland that would cease to be grassland in the absence of human intervention and that is species-rich and not degraded and has been identified as being highly biodiverse by the relevant competent authority, unless evidence is provided that the harvesting of the raw material is necessary to preserve its status as highly biodiverse grassland.

<...> The Energy Community Secretariat shall inform the Permanent High Level Group about any delegated acts adopted in accordance with Article 29(3) of Directive (EU) 2018/2001 within one week of their adoption. The Permanent High Level Group is empowered pursuant to Article 53(d) of the Energy Community Treaty to take measures to incorporate the relevant delegated acts into the Energy Community acquis.²²

4. Biofuels, bioliquids and biomass fuels produced from agricultural biomass taken into account for the purposes referred to in points (a), (b) and (c) of the first subparagraph of paragraph 1 shall not be made from raw material obtained from land with high-carbon stock, namely land that had one of the following statuses in January 2008 and no longer has that status:

- (a) wetlands, namely land that is covered with or saturated by water permanently or for a significant part of the year;
- (b) continuously forested areas, namely land spanning more than one hectare with trees higher than five metres and a canopy cover of more than 30 %, or trees able to reach those thresholds *in situ*;
- (c) land spanning more than one hectare with trees higher than five metres and a canopy cover of between 10 % and 30 %, or trees able to reach those thresholds *in situ*, unless evidence is provided that the carbon stock of the area before and after conversion is such that, when the methodology laid down in Part C of Annex V is applied, the conditions laid down in paragraph 10 of this Article would be fulfilled.

This paragraph shall not apply if, at the time the raw material was obtained, the land had the same status as it had in January 2008.

5. Biofuels, bioliquids and biomass fuels produced from agricultural biomass taken into account for the purposes referred to in points (a), (b) and (c) of the first subparagraph of paragraph 1 shall not be made from raw material obtained from land that was peatland in January 2008, unless evidence is provided that the cultivation and harvesting of that raw material does not involve drainage of previously undrained soil.

²² The text displayed here corresponds to Article 4 of Ministerial Council Decision 2021/14/MC-EnC

6. Biofuels, bioliquids and biomass fuels produced from forest biomass taken into account for the purposes referred to in points (a), (b) and (c) of the first subparagraph of paragraph 1 shall meet the following criteria to minimise the risk of using forest biomass derived from unsustainable production:

(a) the country in which forest biomass was harvested has national or sub-national laws applicable in the area of harvest as well as monitoring and enforcement systems in place ensuring:

- (i) the legality of harvesting operations;
- (ii) forest regeneration of harvested areas;
- (iii) that areas designated by international or national law or by the relevant competent authority for nature protection purposes, including in wetlands and peatlands, are protected;
- (iv) that harvesting is carried out considering maintenance of soil quality and biodiversity with the aim of minimising negative impacts; and
- (v) that harvesting maintains or improves the long-term production capacity of the forest;

(b) when evidence referred to in point (a) of this paragraph is not available, the biofuels, bioliquids and biomass fuels produced from forest biomass shall be taken into account for the purposes referred to in points (a), (b) and (c) of the first subparagraph of paragraph 1 if management systems are in place at forest sourcing area level ensuring:

- (i) the legality of harvesting operations;
- (ii) forest regeneration of harvested areas;
- (iii) that areas designated by international or national law or by the relevant competent authority for nature protection purposes, including in wetlands and peatlands, are protected unless evidence is provided that the harvesting of that raw material does not interfere with those nature protection purposes;
- (iv) that harvesting is carried out considering the maintenance of soil quality and biodiversity with the aim of minimising negative impacts; and
- (v) that harvesting maintains or improves the long-term production capacity of the forest.

7. Biofuels, bioliquids and biomass fuels produced from forest biomass taken into account for the purposes referred to in points (a), (b) and (c) of the first subparagraph of paragraph 1 shall meet the following land-use, land-use change and forestry (LULUCF) criteria:

(a) the country or regional economic integration organisation of origin of the forest biomass:

- (i) is a Party to the Paris Agreement;
- (ii) has submitted a nationally determined contribution (NDC) to the United Nations Framework Convention on Climate Change (UNFCCC), covering emissions and removals from agriculture, forestry and land use which ensures that changes in carbon stock associated with biomass harvest are accounted towards the country's commitment to reduce or limit greenhouse gas emissions as specified in the NDC; or
- (iii) has national or sub-national laws in place, in accordance with Article 5 of the Paris Agreement, applicable in the area of harvest, to conserve and enhance carbon stocks and sinks, and providing evidence that reported LULUCF-sector emissions do not exceed removals;

(b) where evidence referred to in point (a) of this paragraph is not available, the biofuels, bioliquids and biomass fuels produced from forest biomass shall be taken into account for the purposes referred to in points (a), (b) and (c) of the first subparagraph of paragraph 1 if management systems are in place at forest sourcing area level to ensure that carbon stocks and sinks levels in the forest are maintained, or

strengthened over the long term.

8. <...> The Energy Community Secretariat shall inform the Permanent High Level Group about any delegated acts adopted in accordance with Article 29(8) of Directive (EU) 2018/2001 within one week of their adoption. The Permanent High Level Group is empowered pursuant to Article 53(d) of the Energy Community Treaty to take measures to incorporate the relevant delegated acts into the Energy Community acquis.²³

9. <...>²⁴

10. The greenhouse gas emission savings from the use of biofuels, bioliquids and biomass fuels taken into account for the purposes referred to in paragraph 1 shall be:

- (a) at least 50 % for biofuels, biogas consumed in the transport sector, and bioliquids produced in installations in operation on or before 5 October 2015;
- (b) at least 60 % for biofuels, biogas consumed in the transport sector, and bioliquids produced in installations starting operation from 6 October 2015 until 31 December 2020;
- (c) at least 65 % for biofuels, biogas consumed in the transport sector, and bioliquids produced in installations starting operation from 1 January 2023;
- (d) at least 70 % for electricity, heating and cooling production from biomass fuels used in installations starting operation from 1 January 2023 until 31 December 2027, and 80 % for installations starting operation from 1 January 2028.²⁵

An installation shall be considered to be in operation once the physical production of biofuels, biogas consumed in the transport sector and bioliquids, and the physical production of heating and cooling and electricity from biomass fuels has started.

The greenhouse gas emission savings from the use of biofuels, biogas consumed in the transport sector, bioliquids and biomass fuels used in installations producing heating, cooling and electricity shall be calculated in accordance with Article 31(1).

11. Electricity from biomass fuels shall be taken into account for the purposes referred to in points (a), (b) and (c) of the first subparagraph of paragraph 1 only if it meets one or more of the following requirements:

- (a) it is produced in installations with a total rated thermal input below 50 MW;
- (b) for installations with a total rated thermal input from 50 to 100 MW, it is produced applying high-efficiency cogeneration technology, or, for electricity-only installations, meeting an energy efficiency level associated with the best available techniques (BAT-AEELs) as defined in Commission Implementing Decision (EU) 2017/1442;
- (c) for installations with a total rated thermal input above 100 MW, it is produced applying high-efficiency cogeneration technology, or, for electricity-only installations, achieving a net-electrical efficiency of at least 36 %;
- (d) it is produced applying Biomass CO₂ Capture and Storage.

For the purposes of points (a), (b) and (c) of the first subparagraph of paragraph 1 of this Article, electricity-only-installations shall be taken into account only if they do not use fossil fuels as a main fuel and only if there is no cost-effective potential for the application of high-efficiency cogeneration technology

²³ The text displayed here corresponds to Article 4 of Ministerial Council Decision 2021/14/MC-EnC

²⁴ Not applicable according to Article 4 of Ministerial Council Decision 2021/14/MC-EnC

²⁵ Changes in dates of this Article correspond to Article 4 of Ministerial Council Decision 2021/14/MC-EnC

according to the assessment in accordance with Article 14 of Directive 2012/27/EU.

For the purposes of points (a) and (b) of the first subparagraph of paragraph 1 of this Article, this paragraph shall apply only to installations starting operation or converted to the use of biomass fuels after 25 December 2024. For the purposes of point (c) of the first subparagraph of paragraph 1 of this Article, this paragraph shall be without prejudice to support granted under support schemes in accordance with Article 4 approved by 25 December 2024.

Contracting Parties may apply higher energy efficiency requirements than those referred in the first subparagraph to installations with lower rated thermal input.

The first subparagraph shall not apply to electricity from installations which are the object of a specific notification by a **Contracting Party** to the **Secretariat** based on the duly substantiated existence of risks for the security of supply of electricity. Upon assessment of the notification, the **Energy Community Secretariat** shall **issue an opinion** taking into account the elements included therein. **The Contracting Party in question shall take utmost account of the opinion and provide reasons for any deviation in writing.**²⁶

12. For the purposes referred to in points (a), (b) and (c) of the first subparagraph of paragraph 1 of this Article, and without prejudice to Articles 25 and 26, **Contracting Parties** shall not refuse to take into account, on other sustainability grounds, biofuels and bioliquids obtained in compliance with this Article. This paragraph shall be without prejudice to public support granted under support schemes approved before 24 December 2018.

13. <...>²⁷

14. For the purposes referred to in points (a), (b) and (c) of the first subparagraph of paragraph 1, **Contracting Parties** may establish additional sustainability criteria for biomass fuels.

By 31 December 2029, the **Energy Community Secretariat** shall assess the impact of such additional criteria on the internal market.

Article 30

Verification of compliance with the sustainability and greenhouse gas emissions saving criteria

1. Where biofuels, bioliquids and biomass fuels, or other fuels that are eligible for counting towards the numerator referred to in point (b) of Article 27(1), are to be taken into account for the purposes referred to in Articles 23 and 25 and in points (a), (b) and (c) of the first subparagraph of Article 29(1), **Contracting Parties** shall require economic operators to show that the sustainability and greenhouse gas emissions saving criteria laid down in Article 29(2) to (7) and (10) have been fulfilled. For those purposes, they shall require economic operators to use a mass balance system which:

(a) allows consignments of raw material or fuels with differing sustainability and greenhouse gas emissions saving characteristics to be mixed for instance in a container, processing or logistical facility, transmission and distribution infrastructure or site;

(b) allows consignments of raw material with differing energy content to be mixed for the purposes of

²⁶ The text displayed here corresponds to Article 4 of Ministerial Council Decision 2021/14/MC-EnC

²⁷ Not applicable according to Article 4 of Ministerial Council Decision 2021/14/MC-EnC

further processing, provided that the size of consignments is adjusted according to their energy content;

(c) requires information about the sustainability and greenhouse gas emissions saving characteristics and sizes of the consignments referred to in point (a) to remain assigned to the mixture; and

(d) provides for the sum of all consignments withdrawn from the mixture to be described as having the same sustainability characteristics, in the same quantities, as the sum of all consignments added to the mixture and requires that this balance be achieved over an appropriate period of time.

The mass balance system shall ensure that each consignment is counted only once in point (a), (b) or (c) of the first subparagraph of Article 7(1) for the purposes of calculating the gross final consumption of energy from renewable sources and shall include information on whether support has been provided for the production of that consignment, and if so, on the type of support scheme.

2. Where a consignment is processed, information on the sustainability and greenhouse gas emissions saving characteristics of the consignment shall be adjusted and assigned to the output in accordance with the following rules:

(a) when the processing of a consignment of raw material yields only one output that is intended for the production of biofuels, bioliquids or biomass fuels, renewable liquid and gaseous transport fuels of non-biological origin, or recycled carbon fuels, the size of the consignment and the related quantities of sustainability and greenhouse gas emissions saving characteristics shall be adjusted applying a conversion factor representing the ratio between the mass of the output that is intended for such production and the mass of the raw material entering the process;

(b) when the processing of a consignment of raw material yields more than one output that is intended for the production of biofuels, bioliquids or biomass fuels, renewable liquid and gaseous transport fuels of non-biological origin, or recycled carbon fuels, for each output a separate conversion factor shall be applied and a separate mass balance shall be used.

3. **Contracting Parties** shall take measures to ensure that economic operators submit reliable information regarding the compliance with the greenhouse gas emissions savings thresholds set in, and adopted pursuant to, Article 25(2), and with the sustainability and greenhouse gas emissions saving criteria laid down in Article 29(2) to (7) and (10), and that economic operators make available to the relevant **Contracting Party**, upon request, the data that were used to develop the information. **Contracting Parties** shall require economic operators to arrange for an adequate standard of independent auditing of the information submitted, and to provide evidence that this has been done. In order to comply with point (a) of Article 29(6) and point (a) of Article 29(7), the first or second party auditing may be used up to the first gathering point of the forest biomass. The auditing shall verify that the systems used by economic operators are accurate, reliable and protected against fraud, including verification ensuring that materials are not intentionally modified or discarded so that the consignment or part thereof could become a waste or residue. It shall evaluate the frequency and methodology of sampling and the robustness of the data.

The obligations laid down in this paragraph shall apply regardless of whether the biofuels, bioliquids, biomass fuels, renewable liquid and gaseous transport fuels of non-biological origin, or recycled carbon fuels are produced within the **Energy Community** or are imported. Information about the geographic origin and feedstock type of biofuels, bioliquids and biomass fuels per fuel supplier shall be made available to consumers on the websites of operators, suppliers or the relevant competent authorities and shall be updated on an annual basis.

Contracting Parties shall submit to the Secretariat, in aggregated form, the information referred to in

the first subparagraph of this paragraph. The **Secretariat** shall publish that information on the e-reporting platform referred to in Article 28 of Regulation (EU) 2018/1999 **as adapted and adopted by Ministerial Council Decision 2021/14/MC-EnC and Ministerial Council Decision 2022/02/MC-EnC** in summary form preserving the confidentiality of commercially sensitive information.

4. The **Secretariat** may recognize that voluntary national schemes setting standards for the production of biofuels, bioliquids or biomass fuels, or other fuels that are eligible for counting towards the numerator referred to in point (b) of Article 27(1), provide accurate data on greenhouse gas emission savings for the purposes of Article 25(2) and Article 29(10), demonstrate compliance with Article 27(3) and Article 28(2) and (4), or demonstrate that consignments of biofuels, bioliquids or biomass fuels comply with the sustainability criteria laid down in Article 29(2) to (7). When demonstrating that the criteria laid down in Article 29(6) and (7) are met, the operators may provide the required evidence directly at sourcing area level. The **Secretariat** may recognise areas for the protection of rare, threatened or endangered ecosystems or species recognised by international agreements or included in lists drawn up by intergovernmental organisations or the International Union for the Conservation of Nature for the purposes of point (c)(ii) of the first subparagraph of Article 29(3).

The **Secretariat** may **recognise** that those schemes contain accurate information on measures taken for soil, water and air protection, for the restoration of degraded land, for the avoidance of excessive water consumption in areas where water is scarce, and for certification of biofuels, bioliquids and biomass fuels with low indirect land-use change-risk.

5. <...> The **Secretariat** shall require that each voluntary scheme on which an **opinion has been issued** under paragraph 4 submit annually by 30 April a report to the **Secretariat** covering each of the points set out in Annex IX to Regulation (EU) 2018/1999, **as adapted and adopted by Ministerial Council Decision 2021/14/MC-EnC and Ministerial Council Decision 2022/02/MC-EnC**. The report shall cover the preceding calendar year. The requirement to submit a report shall apply only to voluntary schemes that have operated for at least 12 months.

The **Secretariat** shall make the reports drawn up by the voluntary schemes available, in an aggregated form or in full if appropriate, on the e-reporting platform referred to in Article 28 of Regulation (EU) 2018/1999, **as adapted and adopted by Ministerial Council Decision 2021/14/MC-EnC and Ministerial Council Decision 2022/02/MC-EnC**.

6. **Contracting Parties** may set up national schemes where compliance with the sustainability and greenhouse gas emissions saving criteria laid down in Article 29(2) to (7) and (10) and with the greenhouse gas emissions savings thresholds for renewable liquid and gaseous transport fuels of non-biological origin and recycled carbon fuels set in, and adopted pursuant to, Article 25(2) and in accordance with Article 28(5) is verified throughout the entire chain of custody involving competent national authorities.

A **Contracting Party** may notify such a national scheme to the **Secretariat**. The **Secretariat** may **issue an opinion**, whether such a notified national scheme complies with the conditions laid down in this Directive. **The Contracting Party in question shall take utmost account of the opinion and provide reasons for any deviation in writing.**²⁸

Where the **opinion** is positive, schemes established in accordance with this Article shall not refuse mutual recognition with that **Contracting Party's** scheme, as regards verification of compliance with the sustainability and greenhouse gas emissions saving criteria laid down in Article 29(2) to (7) and (10) and the

28 The text displayed here corresponds to Article 4 of Ministerial Council Decision 2021/14/MC-EnC

greenhouse gas emissions savings thresholds set in, and adopted pursuant to, Article 25(2).

7. The **Secretariat shall issue opinions** under paragraph 4 of this Article only if the scheme in question meets adequate standards of reliability, transparency and independent auditing and provides adequate assurances that no materials have been intentionally modified or discarded so that the consignment or part thereof would fall under Annex IX. In the case of schemes to measure greenhouse gas emissions savings, such schemes shall also comply with the methodological requirements set out in Annex V or VI. Lists of areas of high biodiversity value as referred to in point (c)(ii) of the first subparagraph of Article 29(3) shall meet adequate standards of objectivity and coherence with internationally recognised standards and provide for appropriate appeal procedures.

The voluntary schemes referred to in paragraph 4 shall, at least annually, publish a list of their certification bodies used for independent auditing, indicating for each certification body by which entity or national public authority it was recognised and which entity or national public authority is monitoring it.

8. <...> The Energy Community Secretariat shall inform the Permanent High Level Group about any implementing acts adopted in accordance with Article 30(8) of Directive (EU) 2018/2001 within one week of their adoption. The Permanent High Level Group is empowered pursuant to Article 53(d) of the Energy Community Treaty to take measures to incorporate the relevant implementing acts into the Energy Community acquis.²⁹

9. Where an economic operator provides evidence or data obtained in accordance with a scheme that has been the subject of an **opinion** pursuant to paragraph 4 or 6 of this Article, to the extent covered by that **opinion**, a **Contracting Party** shall not require the supplier to provide further evidence of compliance with the sustainability and greenhouse gas emissions saving criteria laid down in Article 29(2) to (7) and (10).

Competent authorities of the **Contracting Parties** shall supervise the operation of certification bodies that are conducting independent auditing under a voluntary scheme. Certification bodies shall submit, upon the request of competent authorities, all relevant information necessary to supervise the operation, including the exact date, time and location of audits. Where **Contracting Parties** find issues of non-conformity, they shall inform the voluntary scheme without delay.

10. At the request of a **Contracting Party**, which may be based on the request of an economic operator, the Secretariat shall, on the basis of all available evidence, examine whether the sustainability and greenhouse gas emissions saving criteria laid down in Article 29(2) to (7) and (10) in relation to a source of biofuels, bioliquids and biomass fuels, and the greenhouse gas emissions savings thresholds set in, and adopted pursuant to, Article 25(2), have been met.

Within six months of receipt of such a request and in accordance with the examination procedure referred to in Article 34(3), the **Secretariat** shall, decide whether the **Contracting Party** concerned may either:

(a) take into account biofuels, bioliquids, biomass fuels and other fuels that are eligible for counting towards the numerator referred to in point (b) of Article 27(1) from that source for the purposes referred to in points (a), (b) and (c) of the first subparagraph of Article 29(1); or

(b) by way of derogation from paragraph 9 of this Article, require suppliers of the source of biofuels, bioliquids, biomass fuels and other fuels that are eligible for counting towards the numerator referred to in point (b) of Article 27(1) to provide further evidence of compliance with those sustainability and greenhouse gas emissions saving criteria and those greenhouse gas emissions savings thresholds.

²⁹ The text displayed here corresponds to Article 4 of Ministerial Council Decision 2021/14/MC-EnC

Article 31

Calculation of the greenhouse gas impact of biofuels, bioliquids and biomass fuels

1. For the purposes of Article 29(10), the greenhouse gas emissions saving from the use of biofuel, bioliquids and biomass fuels shall be calculated in one of the following ways:

(a) where a default value for greenhouse gas emissions saving for the production pathway is laid down in Part A or B of Annex V for biofuels and bioliquids and in Part A of Annex VI for biomass fuels where the e_f value for those biofuels or bioliquids calculated in accordance with point 7 of Part C of Annex V and for those biomass fuels calculated in accordance with point 7 of Part B of Annex VI is equal to or less than zero, by using that default value;

(b) by using an actual value calculated in accordance with the methodology laid down in Part C of Annex V for biofuels and bioliquids and in Part B of Annex VI for biomass fuels;

(c) by using a value calculated as the sum of the factors of the formulas referred to in point 1 of Part C of Annex V, where disaggregated default values in Part D or E of Annex V may be used for some factors, and actual values, calculated in accordance with the methodology laid down in Part C of Annex V, are used for all other factors;

(d) by using a value calculated as the sum of the factors of the formulas referred to in point 1 of Part B of Annex VI, where disaggregated default values in Part C of Annex VI may be used for some factors, and actual values, calculated in accordance with the methodology laid down in Part B of Annex VI, are used for all other factors.

2. **Contracting Parties** may submit to the **Secretariat** reports including information on the typical greenhouse gas emissions from the cultivation of agricultural raw materials of the areas on their territory classified as level 2 in the nomenclature of territorial units for statistics (NUTS) or as a more disaggregated NUTS level in accordance with Regulation (EC) No 1059/2003 of the European Parliament and of the Council. Those reports shall be accompanied by a description of the method and data sources used to calculate the level of emissions. That method shall take into account soil characteristics, climate and expected raw material yields.

3. <...>³⁰

4. <...> **The Energy Community Secretariat shall inform the Permanent High Level Group about any implementing acts adopted in accordance with Article 31(4) of Directive (EU) 2018/2001 within one week of their adoption. The Permanent High Level Group is empowered pursuant to Article 53(d) of the Energy Community Treaty to take measures to incorporate the relevant implementing acts into the Energy Community acquis.** ³¹

5. **The Energy Community Secretariat shall inform the Permanent High Level Group about any implementing acts adopted in accordance with Article 31(5) of Directive (EU) 2018/2001 within one week of their adoption. The Permanent High Level Group is empowered pursuant to Article 53(d) of the Energy Community Treaty to take measures to incorporate the relevant implementing acts into the Energy Community acquis.** ³²

30 Not applicable according to Article 4 of Ministerial Council Decision 2021/14/MC-EnC

31 The text displayed here corresponds to Article 4 of Ministerial Council Decision 2021/14/MC-EnC

32 The text displayed here corresponds to Article 4 of Ministerial Council Decision 2021/14/MC-EnC

6. The Energy Community Secretariat shall inform the Permanent High Level Group about any implementing acts adopted in accordance with Article 31(6) of Directive (EU) 2018/2001 within one week of their adoption. The Permanent High Level Group is empowered pursuant to Article 53(d) of the Energy Community Treaty to take measures to incorporate the relevant implementing acts into the Energy Community acquis.³³

Article 32

Implementing acts

<...>³⁴

Article 33

Monitoring by the Secretariat

1. The **Secretariat** shall monitor the origin of biofuels, bioliquids and biomass fuels consumed in the **Energy Community** and the impact of their production, including the impact as a result of displacement, on land use in the **Energy Community** and in the main third countries of supply. Such monitoring shall be based on **Contracting Parties'** integrated national energy and climate plans and corresponding progress reports pursuant to Articles 3, 17 and 20 of Regulation (EU) 2018/1999, **as adapted and adopted by Ministerial Council Decision 2021/14/MC-EnC and Ministerial Council Decision 2022/02/MC-EnC**, and those of relevant third countries, intergovernmental organisations, scientific studies and any other relevant pieces of information. The **Secretariat** shall also monitor the commodity price changes associated with the use of biomass for energy and any associated positive and negative effects on food security.

2. <...>³⁵

3. <...>³⁶

4. In 2032, the **Secretariat** shall publish a report reviewing the application of this Directive.

(new) Article 34

Until adoption by the Ministerial Council of the Energy Community 2030 targets, including the renewable energy target and/or targets for energy and climate of each Contracting Party, as appropriate, this Directive shall be applied on the basis of Contracting Parties' National Domestic Contributions or targets or any other more ambitious targets or contributions that they have undertaken under any national or international legal and/or policy text.

33 The text displayed here corresponds to Article 4 of Ministerial Council Decision 2021/14/MC-EnC

34 Not applicable according to Article 4 of Ministerial Council Decision 2021/14/MC-EnC

35 Not applicable according to Article 4 of Ministerial Council Decision 2021/14/MC-EnC

36 Not applicable according to Article 4 of Ministerial Council Decision 2021/14/MC-EnC

Article 34
Committee procedure

<...>³⁷

Article 35
Exercise of the delegation

<...>

Article 36
Transposition

<...>

Article 37
Repeal

<...>

Article 38
Entry into force

<...>

Article 39
Addressees

<...>

37 Articles 34, 35, 36, 37, 38 and 39 not applicable according to Article 4 of Ministerial Council Decision 2021/14/MC-EnC

ANNEX I³⁸**TARGETS FOR SHARES OF ENERGY FROM RENEWABLE SOURCES IN GROSS FINAL CONSUMPTION OF ENERGY IN 2020 AND 2030****PART A.**

	Share of energy from renewable sources in gross final consumption of energy, 2005 (\$2005)	Target for share of energy from renewable sources in gross final consumption of energy, 2020 (\$2020)	Target for share of energy from renewable sources in gross final consumption of energy, 2030 (\$2030)
Albania	31,2%	38%	52,0%
Bosnia and Herzegovina	34,0%	40%	43,6%
Georgia	n/a	n/a	27,4%
Kosovo*	18,9%	25%	32,0%
Moldova	11,9%	17%	27,0%
Montenegro	26,3%	33%	50,0%
North Macedonia	17,2%	23%	38,0%
Serbia	21,2%	27%	40,7%
Ukraine	5,5 %	11%	27,0%
Overall Energy Community 2030 Target			31,0%

(1) In order to be able to achieve the national objectives set out in this Annex, it is underlined that the State aid guidelines for environmental protection recognise the continued need for national mechanisms of support for the promotion of energy from renewable sources.

38 Changes in the text of this Annex correspond to Article 2 of Ministerial Council Decision 2022/02/MC-EnC

ANNEX II

NORMALISATION RULE FOR ACCOUNTING FOR ELECTRICITY GENERATED FROM HYDROPOWER AND WIND POWER

The following rule shall be applied for the purposes of accounting for electricity generated from hydropower in a given **Contracting Party**:

$$(Q_{N(\text{norm})}) / (C_N \cdot [(i)(N-14)] / (Q_i \cdot C_i)) \quad 15)$$

where:

N = reference year;

$Q_{N(\text{norm})}$ = normalised electricity generated by all hydropower plants of the **Contracting Party** in year N, for accounting purposes;

Q_i = the quantity of electricity actually generated in year i by all hydropower plants of the **Contracting Party** measured in GWh, excluding production from pumped storage units using water that has previously been pumped uphill;

C_i = the total installed capacity, net of pumped storage, of all hydropower plants of the **Contracting Party** at the end of year i, measured in MW.

The following rule shall be applied for the purposes of accounting for electricity generated from onshore wind power in a given **Contracting Party**:

$$(Q_{N(\text{norm})}) / ((C_N \cdot C_{N-2}) / ((i)(Nn)) / (Q_i / ((j)(Nn)) / (C_j \cdot C_{j-2})))$$

where:

N = reference year;

$Q_{N(\text{norm})}$ = normalised electricity generated by all onshore wind power plants of the **Contracting Party** in year N, for accounting purposes;

Q_i = the quantity of electricity actually generated in year i by all onshore wind power plants of the **Contracting Party** measured in GWh;

C_j = the total installed capacity of all the onshore wind power plants of the **Contracting Party** at the end of year j, measured in MW;

n = 4 or the number of years preceding year N for which capacity and production data are available for the **Contracting Party** in question, whichever is lower.

The following rule shall be applied for the purposes of accounting for electricity generated from offshore wind power in a given **Contracting Party**:

$$(Q_{N(\text{norm})}) / ((C_N \cdot C_{N-2}) / ((i)(Nn)) / (Q_i / ((j)(Nn)) / (C_j \cdot C_{j-2})))$$

where:

N = reference year;

$Q_{N(\text{norm})}$ = normalised electricity generated by all offshore wind power plants of the **Contracting Party** in year N, for accounting purposes;

Q_i = the quantity of electricity actually generated in year i by all offshore wind power plants of the **Contracting Party** measured in GWh;

C_j = the total installed capacity of all the offshore wind power plants of the **Contracting Party** at the end of year j , measured in MW;

$n = 4$ or the number of years preceding year N for which capacity and production data are available for the **Contracting Party** in question, whichever is lower.

ANNEX III

ENERGY CONTENT OF FUELS

Fuel	Energy content by weight (lower calorific value, MJ/kg)	Energy content by volume (lower calorific value, MJ/l)
FUELS FROM BIOMASS AND/OR BIOMASS PROCESSING OPERATIONS		
Bio-Propane	46	24
Pure vegetable oil (oil produced from oil plants through pressing, extraction or comparable procedures, crude or refined but chemically unmodified)	37	34
Biodiesel - fatty acid methyl ester (methyl-ester produced from oil of biomass origin)	37	33
Biodiesel - fatty acid ethyl ester (ethyl-ester produced from oil of biomass origin)	38	34
Biogas that can be purified to natural gas quality	50	—
Hydrotreated (thermochemically treated with hydrogen) oil of biomass origin, to be used for replacement of diesel	44	34
Hydrotreated (thermochemically treated with hydrogen) oil of biomass origin, to be used for replacement of petrol	45	30
Hydrotreated (thermochemically treated with hydrogen) oil of biomass origin, to be used for replacement of jet fuel	44	34
Hydrotreated oil (thermochemically treated with hydrogen) of biomass origin, to be used for replacement of liquefied petroleum gas	46	24
Co-processed oil (processed in a refinery simultaneously with fossil fuel) of biomass or pyrolysed biomass origin to be used for replacement of diesel	43	36
Co-processed oil (processed in a refinery simultaneously with fossil fuel) of biomass or pyrolysed biomass origin, to be used to replace petrol	44	32
Co-processed oil (processed in a refinery simultaneously with fossil fuel) of biomass or pyrolysed biomass origin, to be used to replace jet fuel	43	33

Co-processed oil (processed in a refinery simultaneously with fossil fuel) of biomass or pyrolysed biomass origin, to be used to replace liquefied petroleum gas	46	23
RENEWABLE FUELS THAT CAN BE PRODUCED FROM VARIOUS RENEWABLE SOURCES, INCLUDING BIOMASS		
Methanol from renewable sources	20	16
Ethanol from renewable sources	27	21
Propanol from renewable sources	31	25
Butanol from renewable sources	33	27
Fischer-Tropsch diesel (a synthetic hydrocarbon or mixture of synthetic hydrocarbons to be used for replacement of diesel)	44	34
Fischer-Tropsch petrol (a synthetic hydrocarbon or mixture of synthetic hydrocarbons produced from biomass, to be used for replacement of petrol)	44	33
Fischer-Tropsch jet fuel (a synthetic hydrocarbon or mixture of synthetic hydrocarbons produced from biomass, to be used for replacement of jet fuel)	44	33
Fischer-Tropsch liquefied petroleum gas (a synthetic hydrocarbon or mixture of synthetic hydrocarbons, to be used for replacement of liquefied petroleum gas)	46	24
DME (dimethylether)	28	19
Hydrogen from renewable sources	120	—
ETBE (ethyl-tertio-butyl-ether produced on the basis of ethanol)	36 (of which 37 % from renewable sources)	27 (of which 37 % from renewable sources)
MTBE (methyl-tertio-butyl-ether produced on the basis of methanol)	35 (of which 22 % from renewable sources)	26 (of which 22 % from renewable sources)
TAAE (tertiary-amyl-ethyl-ether produced on the basis of ethanol)	38 (of which 29 % from renewable sources)	29 (of which 29 % from renewable sources)
TAME (tertiary-amyl-methyl-ether produced on the basis of methanol)	36 (of which 18 % from renewable sources)	28 (of which 18 % from renewable sources)
THxEE (tertiary-hexyl-ethyl-ether produced on the basis of ethanol)	38 (of which 25 % from renewable sources)	30 (of which 25 % from renewable sources)
THxME (tertiary-hexyl-methyl-ether produced on the basis of methanol)	38 of which 14 % from renewable sources)	30 (of which 14 % from renewable sources)
FOSSIL FUELS		
Petrol	43	32
Diesel	43	36

ANNEX IV

CERTIFICATION OF INSTALLERS

The certification schemes or equivalent qualification schemes referred to in Article 18(3) shall be based on the following criteria:

1. The certification or qualification process shall be transparent and clearly defined by the **Contracting Parties** or by the administrative body that they appoint.
2. Installers of biomass, heat pump, shallow geothermal and solar photovoltaic and solar thermal energy shall be certified by an accredited training programme or training provider.
3. The accreditation of the training programme or provider shall be effected by **Contracting Parties** or by the administrative body that they appoint. The accrediting body shall ensure that the training programme offered by the training provider has continuity and regional or national coverage. The training provider shall have adequate technical facilities to provide practical training, including some laboratory equipment or corresponding facilities to provide practical training. The training provider shall also offer in addition to the basic training, shorter refresher courses on topical issues, including on new technologies, to enable life-long learning in installations. The training provider may be the manufacturer of the equipment or system, institutes or associations.
4. The training leading to certification or qualification of an installer shall include theoretical and practical parts. At the end of the training, the installer must have the skills required to install the relevant equipment and systems to meet the performance and reliability needs of the customer, incorporate quality craftsmanship, and comply with all applicable codes and standards, including energy and eco-labelling.
5. The training course shall end with an examination leading to a certificate or qualification. The examination shall include a practical assessment of successfully installing biomass boilers or stoves, heat pumps, shallow geothermal installations, solar photovoltaic or solar thermal installations.
6. The certification schemes or equivalent qualification schemes referred to in Article 18(3) shall take due account of the following guidelines:
 - (a) Accredited training programmes should be offered to installers with work experience, who have undergone, or are undergoing, the following types of training:
 - (i) in the case of biomass boiler and stove installers: training as a plumber, pipe fitter, heating engineer or technician of sanitary and heating or cooling equipment as a prerequisite;
 - (ii) in the case of heat pump installers: training as a plumber or refrigeration engineer and have basic electrical and plumbing skills (cutting pipe, soldering pipe joints, gluing pipe joints, lagging, sealing fittings, testing for leaks and installation of heating or cooling systems) as a prerequisite;
 - (iii) in the case of a solar photovoltaic or solar thermal installer: training as a plumber or electrician and have plumbing, electrical and roofing skills, including knowledge of soldering pipe joints, gluing pipe joints, sealing fittings, testing for plumbing leaks, ability to connect wiring, familiar with basic roof materials, flashing and sealing methods as a prerequisite; or
 - (iv) a vocational training scheme to provide an installer with adequate skills corresponding to a three years education in the skills referred to in point (a), (b) or (c), including both classroom and workplace learning.

(b) The theoretical part of the biomass stove and boiler installer training should give an overview of the market situation of biomass and cover ecological aspects, biomass fuels, logistics, fire protection, related subsidies, combustion techniques, firing systems, optimal hydraulic solutions, cost and profitability comparison as well as the design, installation and maintenance of biomass boilers and stoves. The training should also provide good knowledge of any European standards for technology and biomass fuels, such as pellets, and biomass related national and **Energy Community** law.

(c) The theoretical part of the heat pump installer training should give an overview of the market situation for heat pumps and cover geothermal resources and ground source temperatures of different regions, soil and rock identification for thermal conductivity, regulations on using geothermal resources, feasibility of using heat pumps in buildings and determining the most suitable heat pump system, and knowledge about their technical requirements, safety, air filtering, connection with the heat source and system layout. The training should also provide good knowledge of any European standards for heat pumps, and of relevant national and **Energy Community** law. The installer should demonstrate the following key competences:

- (i) a basic understanding of the physical and operation principles of a heat pump, including characteristics of the heat pump circle: context between low temperatures of the heat sink, high temperatures of the heat source, and the efficiency of the system, determination of the coefficient of performance and seasonal performance factor (SPF);
- (ii) an understanding of the components and their function within a heat pump circle, including the compressor, expansion valve, evaporator, condenser, fixtures and fittings, lubricating oil, refrigerant, superheating and sub-cooling and cooling possibilities with heat pumps; and
- (iii) the ability to choose and size the components in typical installation situations, including determining the typical values of the heat load of different buildings and for hot water production based on energy consumption, determining the capacity of the heat pump on the heat load for hot water production, on the storage mass of the building and on interruptible current supply; determine the buffer tank component and its volume and integration of a second heating system.

(d) The theoretical part of the solar photovoltaic and solar thermal installer training should give an overview of the market situation of solar products and cost and profitability comparisons, and cover ecological aspects, components, characteristics and dimensioning of solar systems, selection of accurate systems and dimensioning of components, determination of the heat demand, fire protection, related subsidies, as well as the design, installation and maintenance of solar photovoltaic and solar thermal installations. The training should also provide good knowledge of any European standards for technology, and certification such as Solar Keymark, and related national and **Energy Community** law. The installer should demonstrate the following key competences:

- (i) the ability to work safely using the required tools and equipment and implementing safety codes and standards and to identify plumbing, electrical and other hazards associated with solar installations;
- (ii) the ability to identify systems and their components specific to active and passive systems, including the mechanical design, and to determine the components' location and system layout and configuration;
- (iii) the ability to determine the required installation area, orientation and tilt for the solar photovoltaic and solar water heater, taking account of shading, solar access, structural integrity, the appropriateness of the installation for the building or the climate and to identify different installation methods suitable for roof types and the balance of system equipment required for the installation; and

(iv) for solar photovoltaic systems in particular, the ability to adapt the electrical design, including determining design currents, selecting appropriate conductor types and ratings for each electrical circuit, determining appropriate size, ratings and locations for all associated equipment and subsystems and selecting an appropriate interconnection point.

(e) The installer certification should be time restricted, so that a refresher seminar or event would be necessary for continued certification.

ANNEX V
RULES FOR CALCULATING THE GREENHOUSE GAS IMPACT OF BIOFUELS, BI-OLIQUIDS AND THEIR FOSSIL FUEL COMPARATORS

A. TYPICAL AND DEFAULT VALUES FOR BIOFUELS IF PRODUCED WITH NO NET CARBON EMISSIONS FROM LAND-USE CHANGE

Biofuel production pathway	Greenhouse gas emissions saving – typical value	Greenhouse gas emissions saving – default value
sugar beet ethanol (no biogas from slop, natural gas as process fuel in conventional boiler)	67 %	59 %
sugar beet ethanol (with biogas from slop, natural gas as process fuel in conventional boiler)	77 %	73 %
sugar beet ethanol (no biogas from slop, natural gas as process fuel in CHP plant (*))	73 %	68 %
sugar beet ethanol (with biogas from slop, natural gas as process fuel in CHP plant (*))	79 %	76 %
sugar beet ethanol (no biogas from slop, lignite as process fuel in CHP plant (*))	58 %	47 %
sugar beet ethanol (with biogas from slop, lignite as process fuel in CHP plant (*))	71 %	64 %
corn (maize) ethanol (natural gas as process fuel in conventional boiler)	48 %	40 %
corn (maize) ethanol, (natural gas as process fuel in CHP plant (*))	55 %	48 %
corn (maize) ethanol (lignite as process fuel in CHP plant (*))	40 %	28 %
corn (maize) ethanol (forest residues as process fuel in CHP plant (*))	69 %	68 %
other cereals excluding maize ethanol (natural gas as process fuel in conventional boiler)	47 %	38 %
other cereals excluding maize ethanol (natural gas as process fuel in CHP plant (*))	53 %	46 %
other cereals excluding maize ethanol (lignite as process fuel in CHP plant (*))	37 %	24 %
other cereals excluding maize ethanol (forest residues as process fuel in CHP plant (*))	67 %	67 %
sugar cane ethanol	70 %	70 %
the part from renewable sources of ethyl-tertio-butyl-ether (ETBE)	Equal to that of the ethanol production pathway used	

the part from renewable sources of tertiary-amyl-ethyl-ether (TAEE)	Equal to that of the ethanol production pathway used	
rape seed biodiesel	52 %	47 %
sunflower biodiesel	57 %	52 %
soybean biodiesel	55 %	50 %
palm oil biodiesel (open effluent pond)	32 %	19 %
palm oil biodiesel (process with methane capture at oil mill)	51 %	45 %
waste cooking oil biodiesel	88 %	84 %
animal fats from rendering biodiesel (**)	84 %	78 %
hydrotreated vegetable oil from rape seed	51 %	47 %
hydrotreated vegetable oil from sunflower	58 %	54 %
hydrotreated vegetable oil from soybean	55 %	51 %
hydrotreated vegetable oil from palm oil (open effluent pond)	34 %	22 %
hydrotreated vegetable oil from palm oil (process with methane capture at oil mill)	53 %	49 %
hydrotreated oil from waste cooking oil	87 %	83 %
hydrotreated oil from animal fats from rendering (**)	83 %	77 %
pure vegetable oil from rape seed	59 %	57 %
pure vegetable oil from sunflower	65 %	64 %
pure vegetable oil from soybean	63 %	61 %
pure vegetable oil from palm oil (open effluent pond)	40 %	30 %
pure vegetable oil from palm oil (process with methane capture at oil mill)	59 %	57 %
pure oil from waste cooking oil	98 %	98 %
(*) Default values for processes using CHP are valid only if all the process heat is supplied by CHP.		
(**) Applies only to biofuels produced from animal by-products classified as category 1 and 2 material in accordance with Regulation (EC) No 1069/2009 of the European Parliament and of the Council ⁽¹⁾ , for which emissions related to hygienisation as part of the rendering are not considered.		
(1) Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation)		

B. ESTIMATED TYPICAL AND DEFAULT VALUES FOR FUTURE BIOFUELS THAT WERE NOT ON THE MARKET OR WERE ON THE MARKET ONLY IN NEGLIGIBLE QUANTITIES IN 2016, IF PRODUCED WITH NO NET CARBON EMISSIONS FROM LAND-USE CHANGE

Biofuel production pathway	Greenhouse gas emissions saving - typical value	Greenhouse gas emissions saving - default value
wheat straw ethanol	85 %	83 %

waste wood Fischer-Tropsch diesel in free-standing plant	85 %	85 %
farmed wood Fischer-Tropsch diesel in free-standing plant	82 %	82 %
waste wood Fischer-Tropsch petrol in free-standing plant	85 %	85 %
farmed wood Fischer-Tropsch petrol in free-standing plant	82 %	82 %
waste wood dimethylether (DME) in free-standing plant	86 %	86 %
farmed wood dimethylether (DME) in free-standing plant	83 %	83 %
waste wood methanol in free-standing plant	86 %	86 %
farmed wood methanol in free-standing plant	83 %	83 %
Fischer-Tropsch diesel from black-liquor gasification integrated with pulp mill	89 %	89 %
Fischer-Tropsch petrol from black-liquor gasification integrated with pulp mill	89 %	89 %
dimethylether (DME) from black-liquor gasification integrated with pulp mill	89 %	89 %
Methanol from black-liquor gasification integrated with pulp mill	89 %	89 %
the part from renewable sources of methyl-tertio-butyl-ether (MTBE)	Equal to that of the methanol production pathway used	

C. METHODOLOGY

1. Greenhouse gas emissions from the production and use of transport fuels, biofuels and bioliquids shall be calculated as follows:

(a) greenhouse gas emissions from the production and use of biofuels shall be calculated as:

$$E = e_{ec} + e_l + e_p + e_{td} + e_u - e_{sca} - e_{ccs} - e_{ccr}$$

where

E = total emissions from the use of the fuel;

e_{ec} = emissions from the extraction or cultivation of raw materials;

e_l = annualised emissions from carbon stock changes caused by land-use change;

e_p = emissions from processing;

e_{td} = emissions from transport and distribution;

e_u = emissions from the fuel in use;

e_{sca} = emission savings from soil carbon accumulation via improved agricultural management;

e_{ccs} = emission savings from CO₂ capture and geological storage; and

e_{ccr} = emission savings from CO₂ capture and replacement. Emissions from the manufacture of machinery and equipment shall not be taken into account.

(b) Greenhouse gas emissions from the production and use of bioliquids shall be calculated as for biofuels

(E), but with the extension necessary for including the energy conversion to electricity and/or heat and cooling produced, as follows:

(i) For energy installations delivering only heat:

$$EC_h = \frac{E}{\eta_h}$$

(ii) For energy installations delivering only electricity:

$$EC_{el} = \frac{E}{\eta_{el}}$$

where

$EC_{h,el}$ = Total greenhouse gas emissions from the final energy commodity.

E = Total greenhouse gas emissions of the bioliquid before end-conversion.

η_{el} = The electrical efficiency, defined as the annual electricity produced divided by the annual bioliquid input based on its energy content.

η_h = The heat efficiency, defined as the annual useful heat output divided by the annual bioliquid input based on its energy content.

(iii) For the electricity or mechanical energy coming from energy installations delivering useful heat together with electricity and/or mechanical energy:

$$EC_{el} = \frac{E}{\eta_{el}} \left(\frac{C_{el} \cdot \eta_{el}}{C_{el} \cdot \eta_{el} + C_h \cdot \eta_h} \right)$$

(iv) For the useful heat coming from energy installations delivering heat together with electricity and/or mechanical energy:

$$EC_h = \frac{E}{\eta_h} \left(\frac{C_h \cdot \eta_h}{C_{el} \cdot \eta_{el} + C_h \cdot \eta_h} \right)$$

where:

$EC_{h,el}$ = Total greenhouse gas emissions from the final energy commodity.

E = Total greenhouse gas emissions of the bioliquid before end-conversion.

η_{el} = The electrical efficiency, defined as the annual electricity produced divided by the annual fuel input based on its energy content.

η_h = The heat efficiency, defined as the annual useful heat output divided by the annual fuel input based on its energy content.

C_{el} = Fraction of exergy in the electricity, and/or mechanical energy, set to 100 % ($C_{el} = 1$).

C_h = Carnot efficiency (fraction of exergy in the useful heat).

The Carnot efficiency, C_h , for useful heat at different temperatures is defined as:

$$C_h = \frac{T_h - T_0}{T_h}$$

where

T_h = Temperature, measured in absolute temperature (kelvin) of the useful heat at point of delivery.

T_0 = Temperature of surroundings, set at 273,15 kelvin (equal to 0 °C)

If the excess heat is exported for heating of buildings, at a temperature below 150 °C (423,15 kelvin), C_h can alternatively be defined as follows:

C_h = Carnot efficiency in heat at 150 °C (423,15 kelvin), which is: 0,3546

For the purposes of that calculation, the following definitions apply:

- (a) 'cogeneration' means the simultaneous generation in one process of thermal energy and electricity and/or mechanical energy;
- (b) 'useful heat' means heat generated to satisfy an economical justifiable demand for heat, for heating and cooling purposes;
- (c) 'economically justifiable demand' means the demand that does not exceed the needs for heat or cooling and which would otherwise be satisfied at market conditions.

2. Greenhouse gas emissions from biofuels and bioliquids shall be expressed as follows:

(a) greenhouse gas emissions from biofuels, E , shall be expressed in terms of grams of CO₂ equivalent per MJ of fuel, g CO₂eq/MJ.

(b) greenhouse gas emissions from bioliquids, EC , in terms of grams of CO₂ equivalent per MJ of final energy commodity (heat or electricity), g CO₂eq/MJ.

When heating and cooling are co-generated with electricity, emissions shall be allocated between heat and electricity (as under 1(b)), irrespective if the heat is used for actual heating purposes or for cooling ⁽⁴⁾.

Where the greenhouse gas emissions from the extraction or cultivation of raw materials e_{ec} are expressed in unit g CO₂eq/dry-ton of feedstock, the conversion to grams of CO₂ equivalent per MJ of fuel, g CO₂eq/MJ, shall be calculated as follows ⁽³⁾:

$$e_{ec\text{fuel}_a} \left[\frac{\text{gCO}_2\text{eq}}{\text{MJfuel}} \right]_{ec} = \frac{e_{ec\text{feedstock}_a} \left[\frac{\text{gCO}_2\text{eq}}{\text{tdry}} \right]}{\text{LHV}_a \left[\frac{\text{MJfeedstock}}{\text{tdry feedstock}} \right]} \times \text{Fuel feedstock factor}_a \times \text{Allocation factor fuel}_a$$

where

$$\text{Allocation factor fuel}_a = \left[\frac{\text{Energy in fuel}}{\text{Energy fuel} + \text{Energy in co-products}} \right]$$

$\text{Fuel feedstock factor}_a = [\text{Ratio of MJ feedstock required to make 1 MJ fuel}]$

Emissions per dry-ton feedstock shall be calculated as follows:

$$e_{ec,feedstock_a} \left[\frac{gCO_2eq}{t_{dry}} \right] = \frac{e_{ec,feedstock_a} \left[\frac{gCO_2eq}{t_{moist}} \right]}{(1 - \text{moisture content})}$$

3. Greenhouse gas emissions savings from biofuels and bioliquids shall be calculated as follows:

(a) greenhouse gas emissions savings from biofuels:

$$\text{SAVING} = (E_{F(t)} - E_B)/E_{F(t)}$$

where

E_B = total emissions from the biofuel; and

$E_{F(t)}$ = total emissions from the fossil fuel comparator for transport

(b) greenhouse gas emissions savings from heat and cooling, and electricity being generated from bioliquids:

$$\text{SAVING} = (EC_{F(h\&c,el)} - EC_{B(h\&c,el)})/EC_{F(h\&c,el)}$$

where

$EC_{B(h\&c,el)}$ = total emissions from the heat or electricity; and

$EC_{F(h\&c,el)}$ = total emissions from the fossil fuel comparator for useful heat or electricity.

4. The greenhouse gases taken into account for the purposes of point 1 shall be CO_2 , N_2O and CH_4 . For the purposes of calculating CO_2 equivalence, those gases shall be valued as follows:

CO_2 : 1

N_2O : 298

CH_4 : 25

5. Emissions from the extraction or cultivation of raw materials, e_{ec} , shall include emissions from the extraction or cultivation process itself; from the collection, drying and storage of raw materials; from waste and leakages; and from the production of chemicals or products used in extraction or cultivation. Capture of CO_2 in the cultivation of raw materials shall be excluded. Estimates of emissions from agriculture biomass cultivation may be derived from the use of regional averages for cultivation emissions included in the reports referred to in Article 31(4) or the information on the disaggregated default values for cultivation emissions included in this Annex, as an alternative to using actual values. In the absence of relevant information in those reports it is allowed to calculate averages based on local farming practises based for instance on data of a group of farms, as an alternative to using actual values.

6. For the purposes of the calculation referred to in point 1(a), greenhouse gas emissions savings from improved agriculture management, e_{sca} , such as shifting to reduced or zero-tillage, improved crop/rotation, the use of cover crops, including crop residue management, and the use of organic soil improver (e.g. compost, manure fermentation digestate), shall be taken into account only if solid and verifiable evidence is provided that the soil carbon has increased or that it is reasonable to expect to have increased over the period in which the raw materials concerned were cultivated while taking into account the emissions where such practices lead to increased fertiliser and herbicide use ⁽⁴⁾.

7. Annualised emissions from carbon stock changes caused by land-use change, e_l , shall be calculated by dividing total emissions equally over 20 years. For the calculation of those emissions, the following rule shall be applied:

$$e_l = (CS_R - CS_A) \times 3,664 \times 1/20 \times 1/P - e_B, \text{ (6)}$$

where

e_l = annualised greenhouse gas emissions from carbon stock change due to land-use change (measured as mass (grams) of CO₂-equivalent per unit of biofuel or bioliquid energy (megajoules)). ‘Cropland’ (6) and ‘perennial cropland’ (7) shall be regarded as one land use;

CS_R = the carbon stock per unit area associated with the reference land-use (measured as mass (tonnes) of carbon per unit area, including both soil and vegetation). The reference land-use shall be the land-use in January 2008 or 20 years before the raw material was obtained, whichever was the later;

CS_A = the carbon stock per unit area associated with the actual land-use (measured as mass (tonnes) of carbon per unit area, including both soil and vegetation). In cases where the carbon stock accumulates over more than one year, the value attributed to CS_A shall be the estimated stock per unit area after 20 years or when the crop reaches maturity, whichever the earlier;

P = the productivity of the crop (measured as biofuel or bioliquid energy per unit area per year) and

e_B = bonus of 29 g CO₂eq/MJ biofuel or bioliquid if biomass is obtained from restored degraded land under the conditions laid down in point 8.

8. The bonus of 29 g CO₂eq/MJ shall be attributed if evidence is provided that the land:

- (a) was not in use for agriculture or any other activity in January 2008; and
- (b) is severely degraded land, including such land that was formerly in agricultural use.

The bonus of 29 g CO₂eq/MJ shall apply for a period of up to 20 years from the date of conversion of the land to agricultural use, provided that a steady increase in carbon stocks as well as a sizable reduction in erosion phenomena for land falling under (b) are ensured.

9. ‘Severely degraded land’ means land that, for a significant period of time, has either been significantly salinated or presented significantly low organic matter content and has been severely eroded.

10. <...>³⁹

11. Emissions from processing, e_p , shall include emissions from the processing itself; from waste and leakages; and from the production of chemicals or products used in processing including the CO₂ emissions corresponding to the carbon contents of fossil inputs, whether or not actually combusted in the process.

In accounting for the consumption of electricity not produced within the fuel production plant, the greenhouse gas emissions intensity of the production and distribution of that electricity shall be assumed to be equal to the average emission intensity of the production and distribution of electricity in a defined region. By way of derogation from this rule, producers may use an average value for an individual electricity production plant for electricity produced by that plant, if that plant is not connected to the electricity grid.

Emissions from processing shall include emissions from drying of interim products and materials where relevant.

12. Emissions from transport and distribution, e_{td} , shall include emissions from the transport of raw and semi-finished materials and from the storage and distribution of finished materials. Emissions from transport and distribution to be taken into account under point 5 shall not be covered by this point.

13. Emissions of the fuel in use, e_u , shall be taken to be zero for biofuels and bioliquids.

³⁹The text displayed here corresponds to Article 4 of Ministerial Council Decision 2021/14/MC-EnC

Emissions of non-CO₂ greenhouse gases (N₂O and CH₄) of the fuel in use shall be included in the e_u factor for bioliquids.

14. Emission savings from CO₂ capture and geological storage, e_{ccs}, that have not already been accounted for in e_p, shall be limited to emissions avoided through the capture and storage of emitted CO₂ directly related to the extraction, transport, processing and distribution of fuel if stored in compliance with Directive 2009/31/EC of the European Parliament and of the Council ⁽¹⁹⁾.

15. Emission savings from CO₂ capture and replacement, e_{ccr}, shall be related directly to the production of biofuel or bioliquid they are attributed to, and shall be limited to emissions avoided through the capture of CO₂ of which the carbon originates from biomass and which is used to replace fossil-derived CO₂ in production of commercial products and services.

16. Where a cogeneration unit – providing heat and/or electricity to a fuel production process for which emissions are being calculated – produces excess electricity and/or excess useful heat, the greenhouse gas emissions shall be divided between the electricity and the useful heat according to the temperature of the heat (which reflects the usefulness (utility) of the heat). The useful part of the heat is found by multiplying its energy content with the Carnot efficiency, C_h, calculated as follows:

$$C_h = \frac{T_h - T_0}{T_h}$$

where

T_h = Temperature, measured in absolute temperature (kelvin) of the useful heat at point of delivery.

T₀ = Temperature of surroundings, set at 273,15 kelvin (equal to 0 °C)

If the excess heat is exported for heating of buildings, at a temperature below 150 °C (423,15 kelvin), C_h can alternatively be defined as follows:

C_h = Carnot efficiency in heat at 150 °C (423,15 kelvin), which is: 0,3546

For the purposes of that calculation, the actual efficiencies shall be used, defined as the annual mechanical energy, electricity and heat produced respectively divided by the annual energy input.

For the purposes of that calculation, the following definitions apply:

(a) ‘cogeneration’ shall mean the simultaneous generation in one process of thermal energy and electrical and/or mechanical energy;

(b) ‘useful heat’ shall mean heat generated to satisfy an economical justifiable demand for heat, for heating or cooling purposes;

(c) ‘economically justifiable demand’ shall mean the demand that does not exceed the needs for heat or cooling and which would otherwise be satisfied at market conditions.

17. Where a fuel production process produces, in combination, the fuel for which emissions are being calculated and one or more other products (co-products), greenhouse gas emissions shall be divided between the fuel or its intermediate product and the co-products in proportion to their energy content (determined by lower heating value in the case of co-products other than electricity and heat). The greenhouse gas intensity of excess useful heat or excess electricity is the same as the greenhouse gas intensity of heat or electricity delivered to the fuel production process and is determined from calculating the greenhouse intensity of all inputs and emissions, including the feedstock and CH₄ and N₂O emissions, to and from the

cogeneration unit, boiler or other apparatus delivering heat or electricity to the fuel production process. In the case of cogeneration of electricity and heat, the calculation is performed following point 16.

18. For the purposes of the calculation referred to in point 17, the emissions to be divided shall be $e_{ec} + e_i + e_{sca}$ + those fractions of e_p , e_{td} , e_{ccs} , and e_{ccr} that take place up to and including the process step at which a co-product is produced. If any allocation to co-products has taken place at an earlier process step in the life-cycle, the fraction of those emissions assigned in the last such process step to the intermediate fuel product shall be used for those purposes instead of the total of those emissions.

In the case of biofuels and bioliquids, all co-products shall be taken into account for the purposes of that calculation. No emissions shall be allocated to wastes and residues. Co-products that have a negative energy content shall be considered to have an energy content of zero for the purposes of the calculation.

Wastes and residues, including tree tops and branches, straw, husks, cobs and nut shells, and residues from processing, including crude glycerine (glycerine that is not refined) and bagasse, shall be considered to have zero life-cycle greenhouse gas emissions up to the process of collection of those materials irrespectively of whether they are processed to interim products before being transformed into the final product.

In the case of fuels produced in refineries, other than the combination of processing plants with boilers or cogeneration units providing heat and/or electricity to the processing plant, the unit of analysis for the purposes of the calculation referred to in point 17 shall be the refinery.

19. For biofuels, for the purposes of the calculation referred to in point 3, the fossil fuel comparator $E_{F(t)}$ shall be 94 g CO₂eq/MJ.

For bioliquids used for the production of electricity, for the purposes of the calculation referred to in point 3, the fossil fuel comparator $EC_{F(e)}$ shall be 183 g CO₂eq/MJ.

For bioliquids used for the production of useful heat, as well as for the production of heating and/or cooling, for the purposes of the calculation referred to in point 3, the fossil fuel comparator $EC_{F(hGc)}$ shall be 80 g CO₂eq/MJ.

⁽⁴⁾ Heat or waste heat is used to generate cooling (chilled air or water) through absorption **chillers**. Therefore, it is appropriate to calculate only the emissions associated to the heat produced per MJ of heat, irrespectively if the end-use of the heat is actual heating or cooling via absorption chillers.

⁽⁵⁾ The formula for calculating greenhouse gas emissions from the extraction or cultivation of raw materials e_{ec} describes cases where feedstock is converted into biofuels in one step. For more complex supply chains, adjustments are needed for calculating greenhouse gas emissions from the extraction or cultivation of raw materials e_{ec} for intermediate products.

⁽⁶⁾ Measurements of soil carbon can constitute such evidence, e.g. by a first measurement in advance of the cultivation and subsequent ones at regular intervals several years apart. In such a case, before the second measurement is available, increase in soil carbon would be estimated on the basis of representative experiments or soil models. From the second measurement onwards, the measurements would constitute the basis for determining the existence of an increase in soil carbon and its magnitude.

⁽⁷⁾ The quotient obtained by dividing the molecular weight of CO₂ (44,010 g/mol) by the molecular weight of carbon (12,011 g/mol) is equal to 3,664.

⁽⁸⁾ Cropland as defined by IPCC.

⁽⁹⁾ Perennial crops are defined as multi-annual crops, the stem of which is usually not annually harvested such as short rotation coppice and oil palm.

⁽¹⁰⁾ Decision 2010/335/EU of 10 June 2010 on guidelines for the calculation of land carbon stocks for the purpose of Annex V to Directive 2009/28/EC

⁽¹¹⁾ Regulation (EU) 2018/841 of the European Parliament and of the Council of 30 May 2018 on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry in the 2030 climate and energy framework, and amending Regulation (EU) No 525/2013 and Decision No 529/2013/EU

⁽¹²⁾ Directive 2009/31/EC of the European Parliament and of the Council of 23 April 2009 on the geological storage of carbon dioxide and amending Council Directive 85/337/EEC, European Parliament and Council Directives 2000/60/EC, 2001/80/EC, 2004/35/EC, 2006/12/EC, 2008/1/EC and Regulation (EC) No 1013/2006

D. DISAGGREGATED DEFAULT VALUES FOR BIOFUELS AND BIOLIQUIDS

Disaggregated default values for cultivation: 'e_{cc}' as defined in Part C of this Annex, including soil N₂O emissions

Biofuel and bioliquid production pathway	Greenhouse gas emissions – typical value (g CO ₂ eq/MJ)	Greenhouse gas emissions – default value (g CO ₂ eq/MJ)
sugar beet ethanol	9,6	9,6
corn (maize) ethanol	25,5	25,5
other cereals excluding corn (maize) ethanol	27,0	27,0
sugar cane ethanol	17,1	17,1
the part from renewable sources of ETBE	Equal to that of the ethanol production pathway used	
the part from renewable sources of TAAE	Equal to that of the ethanol production pathway used	
rape seed biodiesel	32,0	32,0
sunflower biodiesel	26,1	26,1
soybean biodiesel	21,2	21,2
palm oil biodiesel	26,2	26,2
waste cooking oil biodiesel	0	0
animal fats from rendering biodiesel (☹)	0	0
hydrotreated vegetable oil from rape seed	33,4	33,4
hydrotreated vegetable oil from sunflower	26,9	26,9
hydrotreated vegetable oil from soybean	22,1	22,1
hydrotreated vegetable oil from palm oil	27,4	27,4
hydrotreated oil from waste cooking oil	0	0
hydrotreated oil from animal fats from rendering (☹)	0	0
pure vegetable oil from rape seed	33,4	33,4
pure vegetable oil from sunflower	27,2	27,2
pure vegetable oil from soybean	22,2	22,2
pure vegetable oil from palm oil	27,1	27,1

pure oil from waste cooking oil	0	0
(☞) Applies only to biofuels produced from animal by-products classified as category 1 and 2 material in accordance with Regulation (EC) No 1069/2009, for which emissions related to hygenisation as part of the rendering are not considered.		

Disaggregated default values for cultivation: 'e_{ec}' – for soil N₂O emissions only (these are already included in the disaggregated values for cultivation emissions in the 'e_{ec}' table)

Biofuel and bioliquid production pathway	Greenhouse gas emissions – typical value (g CO₂eq/MJ)	Greenhouse gas emissions – default value (g CO₂eq/MJ)
sugar beet ethanol	4,9	4,9
corn (maize) ethanol	13,7	13,7
other cereals excluding corn (maize) ethanol	14,1	14,1
sugar cane ethanol	2,1	2,1
the part from renewable sources of ETBE	Equal to that of the ethanol production pathway used	
the part from renewable sources of TAAE	Equal to that of the ethanol production pathway used	
rape seed biodiesel	17,6	17,6
sunflower biodiesel	12,2	12,2
soybean biodiesel	13,4	13,4
palm oil biodiesel	16,5	16,5
waste cooking oil biodiesel	0	0
animal fats from rendering biodiesel (☞)	0	0
hydrotreated vegetable oil from rape seed	18,0	18,0
hydrotreated vegetable oil from sunflower	12,5	12,5
hydrotreated vegetable oil from soybean	13,7	13,7
hydrotreated vegetable oil from palm oil	16,9	16,9
hydrotreated oil from waste cooking oil	0	0
hydrotreated oil from animal fats from rendering (☞)	0	0
pure vegetable oil from rape seed	17,6	17,6

pure vegetable oil from sunflower	12,2	12,2
pure vegetable oil from soybean	13,4	13,4
pure vegetable oil from palm oil	16,5	16,5
pure oil from waste cooking oil	0	0
(**) Note: applies only to biofuels produced from animal by-products classified as category 1 and 2 material in accordance with Regulation (EC) No 1069/2009, for which emissions related to hygienisation as part of the rendering are not considered.		

Disaggregated default values for processing: 'e_p' as defined in Part C of this Annex

Biofuel and bioliquid production pathway	Greenhouse gas emissions – typical value (g CO₂eq/MJ)	Greenhouse gas emissions – default value (g CO₂eq/MJ)
sugar beet ethanol (no biogas from slop, natural gas as process fuel in conventional boiler)	18,8	26,3
sugar beet ethanol (with biogas from slop, natural gas as process fuel in conventional boiler)	9,7	13,6
sugar beet ethanol (no biogas from slop, natural gas as process fuel in CHP plant ⁽¹⁾)	13,2	18,5
sugar beet ethanol (with biogas from slop, natural gas as process fuel in CHP plant ⁽¹⁾)	7,6	10,6
sugar beet ethanol (no biogas from slop, lignite as process fuel in CHP plant ⁽¹⁾)	27,4	38,3
sugar beet ethanol (with biogas from slop, lignite as process fuel in CHP plant ⁽¹⁾)	15,7	22,0
corn (maize) ethanol (natural gas as process fuel in conventional boiler)	20,8	29,1
corn (maize) ethanol, (natural gas as process fuel in CHP plant ⁽¹⁾)	14,8	20,8
corn (maize) ethanol (lignite as process fuel in CHP plant ⁽¹⁾)	28,6	40,1
corn (maize) ethanol (forest residues as process fuel in CHP plant ⁽¹⁾)	1,8	2,6

other cereals excluding maize ethanol (natural gas as process fuel in conventional boiler)	21,0	29,3
other cereals excluding maize ethanol (natural gas as process fuel in CHP plant ⁽¹⁾)	15,1	21,1
other cereals excluding maize ethanol (lignite as process fuel in CHP plant ⁽¹⁾)	30,3	42,5
other cereals excluding maize ethanol (forest residues as process fuel in CHP plant ⁽¹⁾)	1,5	2,2
sugar cane ethanol	1,3	1,8
the part from renewable sources of ETBE	Equal to that of the ethanol production pathway used	
the part from renewable sources of TAEF	Equal to that of the ethanol production pathway used	
rape seed biodiesel	11,7	16,3
sunflower biodiesel	11,8	16,5
soybean biodiesel	12,1	16,9
palm oil biodiesel (open effluent pond)	30,4	42,6
palm oil biodiesel (process with methane capture at oil mill)	13,2	18,5
waste cooking oil biodiesel	9,3	13,0
animal fats from rendering biodiesel ⁽²⁾	13,6	19,1
hydrotreated vegetable oil from rape seed	10,7	15,0
hydrotreated vegetable oil from sunflower	10,5	14,7
hydrotreated vegetable oil from soybean	10,9	15,2
hydrotreated vegetable oil from palm oil (open effluent pond)	27,8	38,9
hydrotreated vegetable oil from palm oil (process with methane capture at oil mill)	9,7	13,6
hydrotreated oil from waste cooking oil	10,2	14,3

hydrotreated oil from animal fats from rendering ⁽¹⁾	14,5	20,3
pure vegetable oil from rape seed	3,7	5,2
pure vegetable oil from sunflower	3,8	5,4
pure vegetable oil from soybean	4,2	5,9
pure vegetable oil from palm oil (open effluent pond)	22,6	31,7
pure vegetable oil from palm oil (process with methane capture at oil mill)	4,7	6,5
pure oil from waste cooking oil	0,6	0,8

⁽¹⁾ Default values for processes using CHP are valid only if all the process heat is supplied by CHP.

⁽²⁾ Note: applies only to biofuels produced from animal by-products classified as category 1 and 2 material in accordance with Regulation (EC) No 1069/2009, for which emissions related to hygienisation as part of the rendering are not considered.

Disaggregated default values for oil extraction only (these are already included in the disaggregated values for processing emissions in the 'e_p' table)

Biofuel and bioliq uid production pathway	Greenhouse gas emissions – typical value (g CO₂eq/MJ)	Greenhouse gas emissions – default value (g CO₂eq/MJ)
rape seed biodiesel	3,0	4,2
sunflower biodiesel	2,9	4,0
soybean biodiesel	3,2	4,4
palm oil biodiesel (open effluent pond)	20,9	29,2
palm oil biodiesel (process with methane capture at oil mill)	3,7	5,1
waste cooking oil biodiesel	0	0
animal fats from rendering biodiesel ⁽¹⁾	4,3	6,1
hydrotreated vegetable oil from rape seed	3,1	4,4
hydrotreated vegetable oil from sunflower	3,0	4,1
hydrotreated vegetable oil from soybean	3,3	4,6
hydrotreated vegetable oil from palm oil (open effluent pond)	21,9	30,7
hydrotreated vegetable oil from palm oil (process with methane capture at oil mill)	3,8	5,4
hydrotreated oil from waste cooking oil	0	0
hydrotreated oil from animal fats from rendering ⁽¹⁾	4,3	6,0

pure vegetable oil from rape seed	3,1	4,4
pure vegetable oil from sunflower	3,0	4,2
pure vegetable oil from soybean	3,4	4,7
pure vegetable oil from palm oil (open effluent pond)	21,8	30,5
pure vegetable oil from palm oil (process with methane capture at oil mill)	3,8	5,3
pure oil from waste cooking oil	0	0
(**) Note: applies only to biofuels produced from animal by-products classified as category 1 and 2 material in accordance with Regulation (EC) No 1069/2009, for which emissions related to hygienisation as part of the rendering are not considered.		

Disaggregated default values for transport and distribution: 'e_{td}' as defined in Part C of this Annex

Biofuel and bioliquid production pathway	Greenhouse gas emissions – typical value (g CO₂eq/MJ)	Greenhouse gas emissions – default value (g CO₂eq/MJ)
sugar beet ethanol (no biogas from slop, natural gas as process fuel in conventional boiler)	2,3	2,3
sugar beet ethanol (with biogas from slop, natural gas as process fuel in conventional boiler)	2,3	2,3
sugar beet ethanol (no biogas from slop, natural gas as process fuel in CHP plant ^(*))	2,3	2,3
sugar beet ethanol (with biogas from slop, natural gas as process fuel in CHP plant ^(*))	2,3	2,3
sugar beet ethanol (no biogas from slop, lignite as process fuel in CHP plant ^(*))	2,3	2,3
sugar beet ethanol (with biogas from slop, lignite as process fuel in CHP plant ^(*))	2,3	2,3
corn (maize) ethanol (natural gas as process fuel in CHP plant ^(*))	2,2	2,2
corn (maize) ethanol (natural gas as process fuel in conventional boiler)	2,2	2,2
corn (maize) ethanol (lignite as process fuel in CHP plant ^(*))	2,2	2,2
corn (maize) ethanol (forest residues as process fuel in CHP plant ^(*))	2,2	2,2
other cereals excluding maize ethanol (natural gas as process fuel in conventional boiler)	2,2	2,2
other cereals excluding maize ethanol (natural gas as process fuel in CHP plant ^(*))	2,2	2,2

other cereals excluding maize ethanol (lignite as process fuel in CHP plant ^(*3))	2,2	2,2
other cereals excluding maize ethanol (forest residues as process fuel in CHP plant ^(*3))	2,2	2,2
sugar cane ethanol	9,7	9,7
the part from renewable sources of ETBE	Equal to that of the ethanol production pathway used	
the part from renewable sources of TAAE	Equal to that of the ethanol production pathway used	
rape seed biodiesel	1,8	1,8
sunflower biodiesel	2,1	2,1
soybean biodiesel	8,9	8,9
palm oil biodiesel (open effluent pond)	6,9	6,9
palm oil biodiesel (process with methane capture at oil mill)	6,9	6,9
waste cooking oil biodiesel	1,9	1,9
animal fats from rendering biodiesel ^(*4)	1,7	1,7
hydrotreated vegetable oil from rape seed	1,7	1,7
hydrotreated vegetable oil from sunflower	2,0	2,0
hydrotreated vegetable oil from soybean	9,2	9,2
hydrotreated vegetable oil from palm oil (open effluent pond)	7,0	7,0
hydrotreated vegetable oil from palm oil (process with methane capture at oil mill)	7,0	7,0
hydrotreated oil from waste cooking oil	1,7	1,7
hydrotreated oil from animal fats from rendering ^(*4)	1,5	1,5
pure vegetable oil from rape seed	1,4	1,4
pure vegetable oil from sunflower	1,7	1,7
pure vegetable oil from soybean	8,8	8,8
pure vegetable oil from palm oil (open effluent pond)	6,7	6,7
pure vegetable oil from palm oil (process with methane capture at oil mill)	6,7	6,7
pure oil from waste cooking oil	1,4	1,4
(*3) Default values for processes using CHP are valid only if all the process heat is supplied by CHP.		
(*4) Note: applies only to biofuels produced from animal by-products classified as category 1 and 2 material in accordance with Regulation (EC) No 1069/2009, for which emissions related to hygienisation as part of the rendering are not considered.		

Disaggregated default values for transport and distribution of final fuel only. These are already included in the table of 'transport and distribution emissions e_{td} ' as defined in Part C of this Annex, but the following values are useful if an economic operator wishes to declare actual transport emissions for crops or oil transport only).

Biofuel and bioliquid production pathway	Greenhouse gas emissions – typical value (g CO₂eq/MJ)	Greenhouse gas emissions – default value (g CO₂eq/MJ)
sugar beet ethanol (no biogas from slop, natural gas as process fuel in conventional boiler)	1,6	1,6
sugar beet ethanol (with biogas from slop, natural gas as process fuel in conventional boiler)	1,6	1,6
sugar beet ethanol (no biogas from slop, natural gas as process fuel in CHP plant ⁽⁴⁵⁾)	1,6	1,6
sugar beet ethanol (with biogas from slop, natural gas as process fuel in CHP plant ⁽⁴⁵⁾)	1,6	1,6
sugar beet ethanol (no biogas from slop, lignite as process fuel in CHP plant ⁽⁴⁵⁾)	1,6	1,6
sugar beet ethanol (with biogas from slop, lignite as process fuel in CHP plant ⁽⁴⁵⁾)	1,6	1,6
corn (maize) ethanol (natural gas as process fuel in conventional boiler)	1,6	1,6
corn (maize) ethanol (natural gas as process fuel in CHP plant ⁽⁴⁵⁾)	1,6	1,6
corn (maize) ethanol (lignite as process fuel in CHP plant ⁽⁴⁵⁾)	1,6	1,6
corn (maize) ethanol (forest residues as process fuel in CHP plant ⁽⁴⁵⁾)	1,6	1,6
other cereals excluding maize ethanol (natural gas as process fuel in conventional boiler)	1,6	1,6
other cereals excluding maize ethanol (natural gas as process fuel in CHP plant ⁽⁴⁵⁾)	1,6	1,6
other cereals excluding maize ethanol (lignite as process fuel in CHP plant ⁽⁴⁵⁾)	1,6	1,6
other cereals excluding maize ethanol (forest residues as process fuel in CHP plant ⁽⁴⁵⁾)	1,6	1,6
sugar cane ethanol	6,0	6,0
the part of ethyl-tertio-butyl-ether (ETBE) from renewable ethanol	Will be considered to be equal to that of the ethanol production pathway used	

the part of tertiary-amyl-ethyl-ether (TAAE) from renewable ethanol	Will be considered to be equal to that of the ethanol production pathway used	
rape seed biodiesel	1,3	1,3
sunflower biodiesel	1,3	1,3
soybean biodiesel	1,3	1,3
palm oil biodiesel (open effluent pond)	1,3	1,3
palm oil biodiesel (process with methane capture at oil mill)	1,3	1,3
waste cooking oil biodiesel	1,3	1,3
animal fats from rendering biodiesel ^(*5)	1,3	1,3
hydrotreated vegetable oil from rape seed	1,2	1,2
hydrotreated vegetable oil from sunflower	1,2	1,2
hydrotreated vegetable oil from soybean	1,2	1,2
hydrotreated vegetable oil from palm oil (open effluent pond)	1,2	1,2
hydrotreated vegetable oil from palm oil (process with methane capture at oil mill)	1,2	1,2
hydrotreated oil from waste cooking oil	1,2	1,2
hydrotreated oil from animal fats from rendering ^(*5)	1,2	1,2
pure vegetable oil from rape seed	0,8	0,8
pure vegetable oil from sunflower	0,8	0,8
pure vegetable oil from soybean	0,8	0,8
pure vegetable oil from palm oil (open effluent pond)	0,8	0,8
pure vegetable oil from palm oil (process with methane capture at oil mill)	0,8	0,8
pure oil from waste cooking oil	0,8	0,8

(*5) Default values for processes using CHP are valid only if all the process heat is supplied by CHP.

(*6) Note: applies only to biofuels produced from animal by-products classified as category 1 and 2 material in accordance with Regulation (EC) No 1069/2009, for which emissions related to hygienisation as part of the rendering are not considered.

Total for cultivation, processing, transport and distribution

Biofuel and bioliqid production pathway	Greenhouse gas emissions – typical value (g CO₂eq/MJ)	Greenhouse gas emissions – default value (g CO₂eq/MJ)
sugar beet ethanol (no biogas from slop, natural gas as process fuel in conventional boiler)	30,7	38,2

sugar beet ethanol (with biogas from slop, natural gas as process fuel in conventional boiler)	21,6	25,5
sugar beet ethanol (no biogas from slop, natural gas as process fuel in CHP plant ⁽²⁾)	25,1	30,4
sugar beet ethanol (with biogas from slop, natural gas as process fuel in CHP plant ⁽²⁾)	19,5	22,5
sugar beet ethanol (no biogas from slop, lignite as process fuel in CHP plant ⁽²⁾)	39,3	50,2
sugar beet ethanol (with biogas from slop, lignite as process fuel in CHP plant ⁽²⁾)	27,6	33,9
corn (maize) ethanol (natural gas as process fuel in conventional boiler)	48,5	56,8
corn (maize) ethanol, (natural gas as process fuel in CHP plant ⁽²⁾)	42,5	48,5
corn (maize) ethanol (lignite as process fuel in CHP plant ⁽²⁾)	56,3	67,8
corn (maize) ethanol (forest residues as process fuel in CHP plant ⁽²⁾)	29,5	30,3
other cereals excluding maize ethanol (natural gas as process fuel in conventional boiler)	50,2	58,5
other cereals excluding maize ethanol (natural gas as process fuel in CHP plant ⁽²⁾)	44,3	50,3
other cereals excluding maize ethanol (lignite as process fuel in CHP plant ⁽²⁾)	59,5	71,7
other cereals excluding maize ethanol (forest residues as process fuel in CHP plant ⁽²⁾)	30,7	31,4
sugar cane ethanol	28,1	28,6
the part from renewable sources of ETBE	Equal to that of the ethanol production pathway used	
the part from renewable sources of TAAE	Equal to that of the ethanol production pathway used	
rape seed biodiesel	45,5	50,1
sunflower biodiesel	40,0	44,7
soybean biodiesel	42,2	47,0
palm oil biodiesel (open effluent pond)	63,5	75,7
palm oil biodiesel (process with methane capture at oil mill)	46,3	51,6
waste cooking oil biodiesel	11,2	14,9
animals fats from rendering biodiesel ⁽⁸⁾	15,3	20,8

hydrotreated vegetable oil from rape seed	45,8	50,1
hydrotreated vegetable oil from sunflower	39,4	43,6
hydrotreated vegetable oil from soybean	42,2	46,5
hydrotreated vegetable oil from palm oil (open effluent pond)	62,2	73,3
hydrotreated vegetable oil from palm oil (process with methane capture at oil mill)	44,1	48,0
hydrotreated oil from waste cooking oil	11,9	16,0
hydrotreated oil from animal fats from rendering ^(*8)	16,0	21,8
pure vegetable oil from rape seed	38,5	40,0
pure vegetable oil from sunflower	32,7	34,3
pure vegetable oil from soybean	35,2	36,9
pure vegetable oil from palm oil (open effluent pond)	56,3	65,4
pure vegetable oil from palm oil (process with methane capture at oil mill)	38,4	57,2
pure oil from waste cooking oil	2,0	2,2
(*7) Default values for processes using CHP are valid only if all the process heat is supplied by CHP.		
(*8) Note: applies only to biofuels produced from animal by-products classified as category 1 and 2 material in accordance with Regulation (EC) No 1069/2009, for which emissions related to hygienisation as part of the rendering are not considered.		

E. ESTIMATED DISAGGREGATED DEFAULT VALUES FOR FUTURE BIOFUELS AND BIOLIQUIDS THAT WERE NOT ON THE MARKET OR WERE ONLY ON THE MARKET IN NEGLIGIBLE QUANTITIES IN 2016

Disaggregated default values for cultivation: 'e_{cc}' as defined in Part C of this Annex, including N₂O emissions (including chipping of waste or farmed wood)

Biofuel and bioliqid production pathway	Greenhouse gas emissions – typical value (g CO ₂ eq/MJ)	Greenhouse gas emissions – default value (g CO ₂ eq/MJ)
wheat straw ethanol	1,8	1,8
waste wood Fischer-Tropsch diesel in free-standing plant	3,3	3,3
farmed wood Fischer-Tropsch diesel in free-standing plant	8,2	8,2
waste wood Fischer-Tropsch petrol in free-standing plant	8,2	8,2
farmed wood Fischer-Tropsch petrol in free-standing plant	12,4	12,4
waste wood dimethylether (DME) in free-standing plant	3,1	3,1

farmed wood dimethylether (DME) in free-standing plant	7,6	7,6
waste wood methanol in free-standing plant	3,1	3,1
farmed wood methanol in free-standing plant	7,6	7,6
Fischer-Tropsch diesel from black-liquor gasification integrated with pulp mill	2,5	2,5
Fischer-Tropsch petrol from black-liquor gasification integrated with pulp mill	2,5	2,5
dimethylether (DME) from black-liquor gasification integrated with pulp mill	2,5	2,5
Methanol from black-liquor gasification integrated with pulp mill	2,5	2,5
the part from renewable sources of MTBE	Equal to that of the methanol production pathway used	

Disaggregated default values for soil N₂O emissions (included in disaggregated default values for cultivation emissions in the 'e_{ec}' table)

Biofuel and bioliquid production pathway	Greenhouse gas emissions – typical value (g CO₂eq/MJ)	Greenhouse gas emissions – default value (g CO₂eq/MJ)
wheat straw ethanol	0	0
waste wood Fischer-Tropsch diesel in free-standing plant	0	0
farmed wood Fischer-Tropsch diesel in free-standing plant	4,4	4,4
waste wood Fischer-Tropsch petrol in free-standing plant	0	0
farmed wood Fischer-Tropsch petrol in free-standing plant	4,4	4,4
waste wood dimethylether (DME) in free-standing plant	0	0
farmed wood dimethylether (DME) in free-standing plant	4,1	4,1
waste wood methanol in free-standing plant	0	0
farmed wood methanol in free-standing plant	4,1	4,1
Fischer-Tropsch diesel from black-liquor gasification integrated with pulp mill	0	0

Fischer-Tropsch petrol from black-liquor gasification integrated with pulp mill	0	0
dimethylether (DME) from black-liquor gasification integrated with pulp mill	0	0
Methanol from black-liquor gasification integrated with pulp mill	0	0
the part from renewable sources of MTBE	Equal to that of the methanol production pathway used	

Disaggregated default values for processing: 'e_p' as defined in Part C of this Annex

Biofuel and bioliqid production pathway	Greenhouse gas emissions – typical value (g CO₂eq/MJ)	Greenhouse gas emissions – default value (g CO₂eq/MJ)
wheat straw ethanol	4,8	6,8
waste wood Fischer-Tropsch diesel in free-standing plant	0,1	0,1
farmed wood Fischer-Tropsch diesel in free-standing plant	0,1	0,1
waste wood Fischer-Tropsch petrol in free-standing plant	0,1	0,1
farmed wood Fischer-Tropsch petrol in free-standing plant	0,1	0,1
waste wood dimethylether (DME) in free-standing plant	0	0
farmed wood dimethylether (DME) in free-standing plant	0	0
waste wood methanol in free-standing plant	0	0
farmed wood methanol in free-standing plant	0	0
Fischer-Tropsch diesel from black-liquor gasification integrated with pulp mill	0	0
Fischer-Tropsch petrol from black-liquor gasification integrated with pulp mill	0	0
dimethylether (DME) from black-liquor gasification integrated with pulp mill	0	0
methanol from black-liquor gasification integrated with pulp mill	0	0
the part from renewable sources of MTBE	Equal to that of the methanol production pathway used	

Disaggregated default values for transport and distribution: 'e_{td}' as defined in Part C of this Annex

Biofuel and bioliquid production pathway	Greenhouse gas emissions – typical value (g CO₂eq/MJ)	Greenhouse gas emissions – default value (g CO₂eq/MJ)
wheat straw ethanol	7,1	7,1
waste wood Fischer-Tropsch diesel in free-standing plant	10,3	10,3
farmed wood Fischer-Tropsch diesel in free-standing plant	8,4	8,4
waste wood Fischer-Tropsch petrol in free-standing plant	10,3	10,3
farmed wood Fischer-Tropsch petrol in free-standing plant	8,4	8,4
waste wood dimethylether (DME) in free-standing plant	10,4	10,4
farmed wood dimethylether (DME) in free-standing plant	8,6	8,6
waste wood methanol in free-standing plant	10,4	10,4
farmed wood methanol in free-standing plant	8,6	8,6
Fischer-Tropsch diesel from black-liquor gasification integrated with pulp mill	7,7	7,7
Fischer-Tropsch petrol from black-liquor gasification integrated with pulp mill	7,9	7,9
dimethylether (DME) from black-liquor gasification integrated with pulp mill	7,7	7,7
methanol from black-liquor gasification integrated with pulp mill	7,9	7,9
the part from renewable sources of MTBE	Equal to that of the methanol production pathway used	

Disaggregated default values for transport and distribution of final fuel only. These are already included in the table of 'transport and distribution emissions e_{td} ' as defined in Part C of this Annex, but the following values are useful if an economic operator wishes to declare actual transport emissions for feedstock transport only).

Biofuel and bioliq uid production pathway	Greenhouse gas emissions – typical value (g CO₂eq/MJ)	Greenhouse gas emissions – default value (g CO₂eq/MJ)
wheat straw ethanol	1,6	1,6
waste wood Fischer-Tropsch diesel in free-standing plant	1,2	1,2
farmed wood Fischer-Tropsch diesel in free-standing plant	1,2	1,2
waste wood Fischer-Tropsch petrol in free-standing plant	1,2	1,2
farmed wood Fischer-Tropsch petrol in free-standing plant	1,2	1,2
waste wood dimethylether (DME) in free-standing plant	2,0	2,0
farmed wood dimethylether (DME) in free-standing plant	2,0	2,0
waste wood methanol in free-standing plant	2,0	2,0
farmed wood methanol in free-standing plant	2,0	2,0
Fischer-Tropsch diesel from black-liquor gasification integrated with pulp mill	2,0	2,0
Fischer-Tropsch petrol from black-liquor gasification integrated with pulp mill	2,0	2,0
dimethylether (DME) from black-liquor gasification integrated with pulp mill	2,0	2,0
methanol from black-liquor gasification integrated with pulp mill	2,0	2,0
the part from renewable sources of MTBE	Equal to that of the methanol production pathway used	

Total for cultivation, processing, transport and distribution

Biofuel and bioliquid production pathway	Greenhouse gas emissions – typical value (g CO₂eq/MJ)	Greenhouse gas emissions – default value (g CO₂eq/MJ)
wheat straw ethanol	13,7	15,7
waste wood Fischer-Tropsch diesel in free-standing plant	13,7	13,7
farmed wood Fischer-Tropsch diesel in free-standing plant	16,7	16,7
waste wood Fischer-Tropsch petrol in free-standing plant	13,7	13,7
farmed wood Fischer-Tropsch petrol in free-standing plant	16,7	16,7
waste wood dimethylether (DME) in free-standing plant	13,5	13,5
farmed wood dimethylether (DME) in free-standing plant	16,2	16,2
waste wood methanol in free-standing plant	13,5	13,5
farmed wood methanol in free-standing plant	16,2	16,2
Fischer-Tropsch diesel from black-liquor gasification integrated with pulp mill	10,2	10,2
Fischer-Tropsch petrol from black-liquor gasification integrated with pulp mill	10,4	10,4
dimethylether (DME) from black-liquor gasification integrated with pulp mill	10,2	10,2
methanol from black-liquor gasification integrated with pulp mill	10,4	10,4
the part from renewable sources of MTBE	Equal to that of the methanol production pathway used	

ANNEX VI

RULES FOR CALCULATING THE GREENHOUSE GAS IMPACT OF BIOMASS FUELS AND THEIR FOSSIL FUEL COMPARATORS

A. Typical and default values of greenhouse gas emissions savings for biomass fuels if produced with no net-carbon emissions from land-use change

WOODCHIPS					
Biomass fuel production system	Transport distance	Greenhouse gas emissions savings –typical value		Greenhouse gas emissions savings – default value	
		Heat	Electricity	Heat	Electricity
Woodchips from forest residues	1 to 500 km	93 %	89 %	91 %	87 %
	500 to 2 500 km	89 %	84 %	87 %	81 %
	2 500 to 10 000 km	82 %	73 %	78 %	67 %
	Above 10 000 km	67 %	51 %	60 %	41 %
Woodchips from short rotation coppice (Eucalyptus)	2 500 to 10 000 km	77 %	65 %	73 %	60 %
Woodchips from short rotation coppice (Poplar – Fertilised)	1 to 500 km	89 %	83 %	87 %	81 %
	500 to 2 500 km	85 %	78 %	84 %	76 %
	2 500 to 10 000 km	78 %	67 %	74 %	62 %
	Above 10 000 km	63 %	45 %	57 %	35 %
Woodchips from short rotation coppice (Poplar – No fertilisation)	1 to 500 km	91 %	87 %	90 %	85 %
	500 to 2 500 km	88 %	82 %	86 %	79 %
	2 500 to 10 000 km	80 %	70 %	77 %	65 %
	Above 10 000 km	65 %	48 %	59 %	39 %
Woodchips from stemwood	1 to 500 km	93 %	89 %	92 %	88 %
	500 to 2 500 km	90 %	85 %	88 %	82 %
	2 500 to 10 000 km	82 %	73 %	79 %	68 %
	Above 10 000 km	67 %	51 %	61 %	42 %
Woodchips from industry residues	1 to 500 km	94 %	92 %	93 %	90 %
	500 to 2 500 km	91 %	87 %	90 %	85 %
	2 500 to 10 000 km	83 %	75 %	80 %	71 %
	Above 10 000 km	69 %	54 %	63 %	44 %

WOOD PELLETS ⁽¹⁾						
Biomass fuel production system		Transport distance	Greenhouse gas emissions savings – typical value		Greenhouse gas emissions savings – default value	
			Heat	Electricity	Heat	Electricity
Wood briquettes or pellets from forest residues	Case 1	1 to 500 km	58 %	37 %	49 %	24 %
		500 to 2 500 km	58 %	37 %	49 %	25 %
		2 500 to 10 000 km	55 %	34 %	47 %	21 %
		Above 10 000 km	50 %	26 %	40 %	11 %
	Case 2a	1 to 500 km	77 %	66 %	72 %	59 %
		500 to 2 500 km	77 %	66 %	72 %	59 %
		2 500 to 10 000 km	75 %	62 %	70 %	55 %
		Above 10 000 km	69 %	54 %	63 %	45 %
	Case 3a	1 to 500 km	92 %	88 %	90 %	85 %
		500 to 2 500 km	92 %	88 %	90 %	86 %
		2 500 to 10 000 km	90 %	85 %	88 %	81 %
		Above 10 000 km	84 %	76 %	81 %	72 %
Wood briquettes or pellets from short rotation coppice (Eucalyptus)	Case 1	2 500 to 10 000 km	52 %	28 %	43 %	15 %
	Case 2a	2 500 to 10 000 km	70 %	56 %	66 %	49 %
	Case 3a	2 500 to 10 000 km	85 %	78 %	83 %	75 %
Wood briquettes or pellets from short rotation coppice (Poplar – Fertilised)	Case 1	1 to 500 km	54 %	32 %	46 %	20 %
		500 to 10 000 km	52 %	29 %	44 %	16 %
		Above 10 000 km	47 %	21 %	37 %	7 %
	Case 2a	1 to 500 km	73 %	60 %	69 %	54 %
		500 to 10 000 km	71 %	57 %	67 %	50 %
		Above 10 000 km	66 %	49 %	60 %	41 %
	Case 3a	1 to 500 km	88 %	82 %	87 %	81 %
500 to 10 000 km		86 %	79 %	84 %	77 %	
		Above 10 000 km	80 %	71 %	78 %	67 %

Wood briquettes or pellets from short rotation coppice (Poplar – No fertilisation)	Case 1	1 to 500 km	56 %	35 %	48 %	23 %
		500 to 10 000 km	54 %	32 %	46 %	20 %
		Above 10 000 km	49 %	24 %	40 %	10 %
	Case 2a	1 to 500 km	76 %	64 %	72 %	58 %
		500 to 10 000 km	74 %	61 %	69 %	54 %
		Above 10 000 km	68 %	53 %	63 %	45 %
	Case 3a	1 to 500 km	91 %	86 %	90 %	85 %
		500 to 10 000 km	89 %	83 %	87 %	81 %
		Above 10 000 km	83 %	75 %	81 %	71 %
Stemwood	Case 1	1 to 500 km	57 %	37 %	49 %	24 %
		500 to 2 500 km	58 %	37 %	49 %	25 %
		2 500 to 10 000 km	55 %	34 %	47 %	21 %
		Above 10 000 km	50 %	26 %	40 %	11 %
	Case 2a	1 to 500 km	77 %	66 %	73 %	60 %
		500 to 2 500 km	77 %	66 %	73 %	60 %
		2 500 to 10 000 km	75 %	63 %	70 %	56 %
		Above 10 000 km	70 %	55 %	64 %	46 %
	Case 3a	1 to 500 km	92 %	88 %	91 %	86 %
		500 to 2 500 km	92 %	88 %	91 %	87 %
		2 500 to 10 000 km	90 %	85 %	88 %	83 %
		Above 10 000 km	84 %	77 %	82 %	73 %
Wood briquettes or pellets from wood industry residues	Case 1	1 to 500 km	75 %	62 %	69 %	55 %
		500 to 2 500 km	75 %	62 %	70 %	55 %
		2 500 to 10 000 km	72 %	59 %	67 %	51 %
		Above 10 000 km	67 %	51 %	61 %	42 %
	Case 2a	1 to 500 km	87 %	80 %	84 %	76 %
		500 to 2 500 km	87 %	80 %	84 %	77 %
		2 500 to 10 000 km	85 %	77 %	82 %	73 %
		Above 10 000 km	79 %	69 %	75 %	63 %
	Case 3a	1 to 500 km	95 %	93 %	94 %	91 %
		500 to 2 500 km	95 %	93 %	94 %	92 %
		2 500 to 10 000 km	93 %	90 %	92 %	88 %
		Above 10 000 km	88 %	82 %	85 %	78 %

(*1) Case 1 refers to processes in which a natural gas boiler is used to provide the process heat to the pellet mill. Electricity for the pellet mill is supplied from the grid;

Case 2a refers to processes in which a woodchips boiler, fed with pre-dried chips, is used to provide process heat. Electricity for the pellet mill is supplied from the grid;

Case 3a refers to processes in which a CHP, fed with pre-dried woodchips, is used to provide electricity and heat to the pellet mill.

AGRICULTURE PATHWAYS					
Biomass fuel production system	Transport distance	Greenhouse gas emissions savings – typical value		Greenhouse gas emissions savings – default value	
		Heat	Electricity	Heat	Electricity
Agricultural Residues with density < 0,2 t/m ³ ^{(*)2}	1 to 500 km	95 %	92 %	93 %	90 %
	500 to 2 500 km	89 %	83 %	86 %	80 %
	2 500 to 10 000 km	77 %	66 %	73 %	60 %
	Above 10 000 km	57 %	36 %	48 %	23 %
Agricultural Residues with density > 0,2 t/m ³ ^{(*)3}	1 to 500 km	95 %	92 %	93 %	90 %
	500 to 2 500 km	93 %	89 %	92 %	87 %
	2 500 to 10 000 km	88 %	82 %	85 %	78 %
	Above 10 000 km	78 %	68 %	74 %	61 %
Straw pellets	1 to 500 km	88 %	82 %	85 %	78 %
	500 to 10 000 km	86 %	79 %	83 %	74 %
	Above 10 000 km	80 %	70 %	76 %	64 %
Bagasse briquettes	500 to 10 000 km	93 %	89 %	91 %	87 %
	Above 10 000 km	87 %	81 %	85 %	77 %
Palm Kernel Meal	Above 10 000 km	20 %	-18 %	11 %	-33 %
Palm Kernel Meal (no CH ₄ emissions from oil mill)	Above 10 000 km	46 %	20 %	42 %	14 %
<p>(*)2 This group of materials includes agricultural residues with a low bulk density and it comprises materials such as straw bales, oat hulls, rice husks and sugar cane bagasse bales (not exhaustive list).</p> <p>(*)3 The group of agricultural residues with higher bulk density includes materials such as corn cobs, nut shells, soybean hulls, palm kernel shells (not exhaustive list).</p>					

 BIOGAS FOR ELECTRICITY ^(*)				
Biogas production system		Technological option	Greenhouse gas emissions savings – typical value	Greenhouse gas emissions savings – default value
Wet manure ⁽¹⁾	Case 1	Open digestate ⁽²⁾	146 %	94 %
		Close digestate ⁽³⁾	246 %	240 %
	Case 2	Open digestate	136 %	85 %
		Close digestate	227 %	219 %
	Case 3	Open digestate	142 %	86 %
		Close digestate	243 %	235 %
Maize whole plant ⁽⁴⁾	Case 1	Open digestate	36 %	21 %
		Close digestate	59 %	53 %
	Case 2	Open digestate	34 %	18 %
		Close digestate	55 %	47 %
	Case 3	Open digestate	28 %	10 %
		Close digestate	52 %	43 %
Biowaste ^(*)	Case 1	Open digestate	47 %	26 %
		Close digestate	84 %	78 %
	Case 2	Open digestate	43 %	21 %
		Close digestate	77 %	68 %
	Case 3	Open digestate	38 %	14 %
		Close digestate	76 %	66 %

(1) The values for biogas production from manure include negative emissions for emissions saved from raw manure management. The value of esca considered is equal to – 45 g CO₂eq/MJ manure used in anaerobic digestion.

(2) Open storage of digestate accounts for additional emissions of CH₄ and N₂O. The magnitude of those emissions changes with ambient conditions, substrate types and the digestion efficiency.

(3) Close storage means that the digestate resulting from the digestion process is stored in a gas-tight tank and that the additional biogas released during storage is considered to be recovered for production of additional electricity or biomethane. No greenhouse gas emissions are included in that process.

(4) Maize whole plant means maize harvested as fodder and ensiled for preservation.

(*) Case 1 refers to pathways in which electricity and heat required in the process are supplied by the CHP engine itself. Case 2 refers to pathways in which the electricity required in the process is taken from the grid and the process heat is supplied by the CHP engine itself. In some Member States, operators are not allowed to claim the gross production for subsidies and case 1 is the more likely configuration.

Case 3 refers to pathways in which the electricity required in the process is taken from the grid and the process heat is supplied by a biogas boiler. This case applies to some installations in which the CHP engine is not on-site and biogas is sold (but not upgraded to biomethane).

BIOGAS FOR ELECTRICITY – MIXTURES OF MANURE AND MAIZE				
Biogas production system		Technological option	Greenhouse gas emissions savings – typical value	Greenhouse gas emissions savings – default value
Manure – Maize 80 % - 20 %	Case 1	Open digestate	72 %	45 %
		Close digestate	120 %	114 %
	Case 2	Open digestate	67 %	40 %
		Close digestate	111 %	103 %
	Case 3	Open digestate	65 %	35 %
		Close digestate	114 %	106 %
Manure – Maize 70 % - 30 %	Case 1	Open digestate	60 %	37 %
		Close digestate	100 %	94 %
	Case 2	Open digestate	57 %	32 %
		Close digestate	93 %	85 %
	Case 3	Open digestate	53 %	27 %
		Close digestate	94 %	85 %
Manure – Maize 60 % - 40 %	Case 1	Open digestate	53 %	32 %
		Close digestate	88 %	82 %
	Case 2	Open digestate	50 %	28 %
		Close digestate	82 %	73 %
	Case 3	Open digestate	46 %	22 %
		Close digestate	81 %	72 %

BIOMETHANE FOR TRANSPORT ⁽⁴⁹⁾			
Biomethane production system	Technological options	Greenhouse gas emissions savings – typical value	Greenhouse gas emissions savings – default value
Wet manure	Open digestate, no off-gas combustion	117 %	72 %
	Open digestate, off-gas combustion	133 %	94 %
	Close digestate, no off-gas combustion	190 %	179 %
	Close digestate, off-gas combustion	206 %	202 %

Maize whole plant	Open digestate, no off-gas combustion	35 %	17 %
	Open digestate, off-gas combustion	51 %	39 %
	Close digestate, no off-gas combustion	52 %	41 %
	Close digestate, off-gas combustion	68 %	63 %
Biowaste	Open digestate, no off-gas combustion	43 %	20 %
	Open digestate, off-gas combustion	59 %	42 %
	Close digestate, no off-gas combustion	70 %	58 %
	Close digestate, off-gas combustion	86 %	80 %
(*6) The greenhouse gas emissions savings for biomethane only refer to compressed biomethane relative to the fossil fuel comparator for transport of 94 g CO ₂ eq/MJ.			

BIOMETHANE – MIXTURES OF MANURE AND MAIZE ^(*)			
Biomethane production system	Technological options	Greenhouse gas emissions savings – typical value	Greenhouse gas emissions savings – default value
Manure – Maize 80 % - 20 %	Open digestate, no off-gas combustion ^(*)	62 %	35 %
	Open digestate, off-gas combustion ^(*)	78 %	57 %
	Close digestate, no off-gas combustion	97 %	86 %
	Close digestate, off-gas combustion	113 %	108 %
Manure – Maize 70 % - 30 %	Open digestate, no off-gas combustion	53 %	29 %
	Open digestate, off-gas combustion	69 %	51 %
	Close digestate, no off-gas combustion	83 %	71 %
	Close digestate, off-gas combustion	99 %	94 %
Manure – Maize 60 % - 40 %	Open digestate, no off-gas combustion	48 %	25 %
	Open digestate, off-gas combustion	64 %	48 %
	Close digestate, no off-gas combustion	74 %	62 %
	Close digestate, off-gas combustion	90 %	84 %
(*) The greenhouse gas emissions savings for biomethane only refer to compressed biomethane relative to the fossil fuel comparator for transport of 94 g CO ₂ eq/MJ.			

B. METHODOLOGY

Greenhouse gas emissions from the production and use of biomass fuels, shall be calculated as follows:

(a) Greenhouse gas emissions from the production and use of biomass fuels before conversion into electricity, heating and cooling, shall be calculated as:

$$E = e_{ec} + e_l + e_p + e_{td} + e_u - e_{sca} - e_{ccs} - e_{ccr}$$

Where

E = total emissions from the production of the fuel before energy conversion;

e_{ec} = emissions from the extraction or cultivation of raw materials;

e_i = annualised emissions from carbon stock changes caused by land-use change;

e_p = emissions from processing;

e_{td} = emissions from transport and distribution;

e_u = emissions from the fuel in use;

e_{sca} = emission savings from soil carbon accumulation via improved agricultural management;

e_{ccs} = emission savings from CO₂ capture and geological storage; and

e_{ccr} = emission savings from CO₂ capture and replacement. Emissions from the manufacture of machinery and equipment shall not be taken into account.

(b) In the case of co-digestion of different substrates in a biogas plant for the production of biogas or biomethane, the typical and default values of greenhouse gas emissions shall be calculated as:

$$E = \sum_1^n \cdot E_n$$

where

E = greenhouse gas emissions per MJ biogas or biomethane produced from co-digestion of the defined mixture of substrates

S_n = Share of feedstock n in energy content

E_n = Emission in g CO₂/MJ for pathway n as provided in Part D of this Annex (*)

$$S_n = \frac{P_n \cdot W_n}{\sum_1^n \cdot W_n}$$

where

P_n = energy yield [MJ] per kilogram of wet input of feedstock n (**)

W_n = weighting factor of substrate n defined as:

$$W_n = \frac{I_n}{\sum_1^n I_n} \cdot \left(\frac{1 - AM_n}{1 - SM_n} \right)$$

where:

I_n = Annual input to digester of substrate n [tonne of fresh matter]

AM_n = Average annual moisture of substrate n [kg water/kg fresh matter]

SM_n = Standard moisture for substrate n (***)

(*) For animal manure used as substrate, a bonus of 45 g CO₂eq/MJ manure (– 54 kg CO₂eq/t fresh matter) is added for improved agricultural and manure management.

(**) The following values of P_n shall be used for calculating typical and default values:

P(Maize): 4,16 [MJ_{biogas}/kg_{wet maize @ 65 % moisture}]

P(Manure): 0,50 [MJ_{biogas}/kg_{wet manure @ 90 % moisture}]

P(Biowaste) 3,41 [MJ_{biogas}/kg_{wet biowaste @ 76 % moisture}]

(**) The following values of the standard moisture for substrate SM_n shall be used:

SM(Maize): 0,65 [kg water/kg fresh matter]

SM(Manure): 0,90 [kg water/kg fresh matter]

SM(Biowaste): 0,76 [kg water/kg fresh matter]

(c) In the case of co-digestion of n substrates in a biogas plant for the production of electricity or biomethane, actual greenhouse gas emissions of biogas and biomethane are calculated as follows:

$$E = \sum_1^n S_n \cdot (e_{ec,n} + e_{td,feedstock,n} + e_{l,n} - e_{sca,n}) + e_p + e_{td,product} + e_u - e_{ccs} - e_{ccr}$$

where

E = total emissions from the production of the biogas or biomethane before energy conversion;

S_n = Share of feedstock n, in fraction of input to the digester;

e_{ec,n} = emissions from the extraction or cultivation of feedstock n;

e_{td,feedstock,n} = emissions from transport of feedstock n to the digester;

e_{l,n} = annualised emissions from carbon stock changes caused by land-use change, for feedstock n;

e_{sca} = emission savings from improved agricultural management of feedstock n (*);

e_p = emissions from processing;

e_{td,product} = emissions from transport and distribution of biogas and/or biomethane;

e_u = emissions from the fuel in use, that is greenhouse gases emitted during combustion;

e_{ccs} = emission savings from CO₂ capture and geological storage; and

e_{ccr} = emission savings from CO₂ capture and replacement.

(*) For e_{sca} a bonus of 45 g CO₂eq/MJ manure shall be attributed for improved agricultural and manure management in the case animal manure is used as a substrate for the production of biogas and biomethane.

(d) Greenhouse gas emissions from the use of biomass fuels in producing electricity, heating and cooling, including the energy conversion to electricity and/or heat or cooling produced, shall be calculated as follows:

(i) For energy installations delivering only heat:

$$EC_h = \frac{E}{\eta_h}$$

(ii) For energy installations delivering only electricity:

$$EC_{el} = \frac{E}{\eta_{el}}$$

where

EC_{h,el} = Total greenhouse gas emissions from the final energy commodity.

E = Total greenhouse gas emissions of the fuel before end-conversion.

η_{el} = The electrical efficiency, defined as the annual electricity produced divided by the annual fuel input, based on its energy content.

η_h = The heat efficiency, defined as the annual useful heat output divided by the annual fuel input, based on its energy content.

(iii) For the electricity or mechanical energy coming from energy installations delivering useful heat together with electricity and/or mechanical energy:

$$EC_{el} = \frac{E}{\eta_{el}} \left(\frac{C_{el} \cdot \eta_{el}}{C_{el} \cdot \eta_{el} + C_h \cdot \eta_h} \right)$$

(iv) For the useful heat coming from energy installations delivering heat together with electricity and/or mechanical energy:

$$EC_h = \frac{E}{\eta_h} \left(\frac{C_h \cdot \eta_h}{C_{el} \cdot \eta_{el} + C_h \cdot \eta_h} \right)$$

where:

$EC_{h,el}$ = Total greenhouse gas emissions from the final energy commodity.

E = Total greenhouse gas emissions of the fuel before end-conversion.

η_{el} = The electrical efficiency, defined as the annual electricity produced divided by the annual energy input, based on its energy content.

η_h = The heat efficiency, defined as the annual useful heat output divided by the annual energy input, based on its energy content.

C_{el} = Fraction of exergy in the electricity, and/or mechanical energy, set to 100 % ($C_{el} = 1$).

C_h = Carnot efficiency (fraction of exergy in the useful heat). The Carnot efficiency, C_h , for useful heat at different temperatures is defined as:

$$C_h = \frac{T_h - T_0}{T_h}$$

where:

T_h = Temperature, measured in absolute temperature (kelvin) of the useful heat at point of delivery.

T_0 = Temperature of surroundings, set at 273,15 kelvin (equal to 0 °C).

If the excess heat is exported for heating of buildings, at a temperature below 150 °C (423,15 kelvin), C_h can alternatively be defined as follows:

C_h = Carnot efficiency in heat at 150 °C (423,15 kelvin), which is: 0,3546

For the purposes of that calculation, the following definitions apply:

(i) 'cogeneration' shall mean the simultaneous generation in one process of thermal energy and electricity and/or mechanical energy;

(ii) 'useful heat' shall mean heat generated to satisfy an economical justifiable demand for heat, for

heating or cooling purposes;

(iii) 'economically justifiable demand' shall mean the demand that does not exceed the needs for heat or cooling and which would otherwise be satisfied at market conditions.

2. Greenhouse gas emissions from biomass fuels shall be expressed as follows:

(a) greenhouse gas emissions from biomass fuels, E, shall be expressed in terms of grams of CO₂ equivalent per MJ of biomass fuel, g CO₂eq/MJ;

(b) greenhouse gas emissions from heating or electricity, produced from biomass fuels, EC, shall be expressed in terms of grams of CO₂ equivalent per MJ of final energy commodity (heat or electricity), g CO₂eq/MJ.

When heating and cooling are co-generated with electricity, emissions shall be allocated between heat and electricity (as under point 1(d)), irrespective if the heat is used for actual heating purposes or for cooling (7).

Where the greenhouse gas emissions from the extraction or cultivation of raw materials e_{ec} are expressed in unit g CO₂eq/dry-ton of feedstock, the conversion to grams of CO₂ equivalent per MJ of fuel, g CO₂eq/MJ, shall be calculated as follows (8):

$$e_{ec} \text{fuel}_a \left[\frac{\text{gCO}_2\text{eq}}{\text{MJfuel}} \right]_{ec} = \frac{e_{ec} \text{feedstock}_a \left[\frac{\text{gCO}_2\text{eq}}{t_{dry}} \right]}{\text{LHV}_a \left[\frac{\text{MJfeedstock}}{t_{dry} \text{feedstock}} \right]} \cdot \text{Fuel feedstock factor}_a \cdot \text{Allocation factor fuel}_a$$

Where

$$\text{Allocation factor fuel}_a = \left[\frac{\text{Energy in fuel}}{\text{Energy fuel} + \text{Energy in co-products}} \right]$$

$$\text{Fuel feedstock factor}_a = [\text{Ratio of MJ feedstock required to make 1 MJ fuel}]$$

Emissions per dry-ton feedstock shall be calculated as follows:

$$e_{ec} \text{feedstock}_a \left[\frac{\text{gCO}_2\text{eq}}{t_{dry}} \right] = \frac{e_{ec} \text{feedstock}_a \left[\frac{\text{gCO}_2\text{eq}}{t_{moist}} \right]}{(1 - \text{moisture content})}$$

3. Greenhouse gas emissions savings from biomass fuels shall be calculated as follows:

(a) greenhouse gas emissions savings from biomass fuels used as transport fuels:

$$\text{SAVING} = (E_{F(t)} - E_b)/E_{F(t)}$$

where

E_b = total emissions from biomass fuels used as transport fuels; and

E_{F(t)} = total emissions from the fossil fuel comparator for transport

(b) greenhouse gas emissions savings from heat and cooling, and electricity being generated from biomass fuels:

$$\text{SAVING} = (EC_{F(h\&c,el)} - EC_{B(h\&c,el)})/EC_{F(h\&c,el)}$$

where

EC_{B(h&c,el)} = total emissions from the heat or electricity,

EC_{F(h&c,el)} = total emissions from the fossil fuel comparator for useful heat or electricity.

4. The greenhouse gases taken into account for the purposes of point 1 shall be CO₂, N₂O and CH₄. For

the purposes of calculating CO₂ equivalence, those gases shall be valued as follows:

CO₂: 1

N₂O: 298

CH₄: 25

5. Emissions from the extraction, harvesting or cultivation of raw materials, e_{ecr} , shall include emissions from the extraction, harvesting or cultivation process itself; from the collection, drying and storage of raw materials; from waste and leakages; and from the production of chemicals or products used in extraction or cultivation. Capture of CO₂ in the cultivation of raw materials shall be excluded. Estimates of emissions from agriculture biomass cultivation may be derived from the regional averages for cultivation emissions included in the reports referred to in Article 31(4) of this Directive or the information on the disaggregated default values for cultivation emissions included in this Annex, as an alternative to using actual values. In the absence of relevant information in those reports it is allowed to calculate averages based on local farming practises based for instance on data of a group of farms, as an alternative to using actual values.

Estimates of emissions from cultivation and harvesting of forestry biomass may be derived from the use of averages for cultivation and harvesting emissions calculated for geographical areas at national level, as an alternative to using actual values.

6. For the purposes of the calculation referred to in point 1(a), emission savings from improved agriculture management, e_{sca} , such as shifting to reduced or zero-tillage, improved crop/rotation, the use of cover crops, including crop residue management, and the use of organic soil improver (e.g. compost, manure fermentation digestate), shall be taken into account only if solid and verifiable evidence is provided that the soil carbon has increased or that it is reasonable to expect to have increased over the period in which the raw materials concerned were cultivated while taking into account the emissions where such practices lead to increased fertiliser and herbicide use ⁽⁹⁾.

7. Annualised emissions from carbon stock changes caused by land-use change, e_l , shall be calculated by dividing total emissions equally over 20 years. For the calculation of those emissions the following rule shall be applied:

$$e_l = (CS_R - CS_A) \times 3,664 \times 1/20 \times 1/P - e_b, \text{ (10)}$$

where

e_l = annualised greenhouse gas emissions from carbon stock change due to land-use change (measured as mass of CO₂-equivalent per unit biomass fuel energy). 'Cropland' ⁽¹¹⁾ and 'perennial cropland' ⁽¹²⁾ shall be regarded as one land use;

CS_R = the carbon stock per unit area associated with the reference land use (measured as mass (tonnes) of carbon per unit area, including both soil and vegetation). The reference land use shall be the land use in January 2008 or 20 years before the raw material was obtained, whichever was the later;

CS_A = the carbon stock per unit area associated with the actual land use (measured as mass (tonnes) of carbon per unit area, including both soil and vegetation). In cases where the carbon stock accumulates over more than one year, the value attributed to CS_A shall be the estimated stock per unit area after 20 years or when the crop reaches maturity, whichever the earlier;

P = the productivity of the crop (measured as biomass fuel energy per unit area per year); and

e_b = bonus of 29 g CO₂eq/MJ biomass fuel if biomass is obtained from restored degraded land under the

conditions laid down in point 8.

8. The bonus of 29 g CO₂eq/MJ shall be attributed if evidence is provided that the land:

(a) was not in use for agriculture in January 2008 or any other activity; and

(b) is severely degraded land, including such land that was formerly in agricultural use. The bonus of 29 g CO₂eq/MJ shall apply for a period of up to 20 years from the date of conversion of the land to agricultural use, provided that a steady increase in carbon stocks as well as a sizable reduction in erosion phenomena for land falling under (b) are ensured.

9. 'Severely degraded land' means land that, for a significant period of time, has either been significantly salinated or presented significantly low organic matter content and has been severely eroded.

10. In accordance with point 10 of Part C of Annex V to this Directive, Decision 2010/335/EU (13), which provides for guidelines for the calculation of land carbon stocks in relation to this Directive, drawing on the 2006 IPCC Guidelines for National Greenhouse Gas Inventories – volume 4, and in accordance with Regulations (EU) No 525/2013 and (EU) 2018/841, shall serve as the basis for the calculation of land carbon stocks.

11. Emissions from processing, e_p , shall include emissions from the processing itself; from waste and leakages; and from the production of chemicals or products used in processing, including the CO₂ emissions corresponding to the carbon contents of fossil inputs, whether or not actually combusted in the process.

In accounting for the consumption of electricity not produced within the solid or gaseous biomass fuel production plant, the greenhouse gas emissions intensity of the production and distribution of that electricity shall be assumed to be equal to the average emission intensity of the production and distribution of electricity in a defined region. By way of derogation from this rule, producers may use an average value for an individual electricity production plant for electricity produced by that plant, if that plant is not connected to the electricity grid.

Emissions from processing shall include emissions from drying of interim products and materials where relevant.

12. Emissions from transport and distribution, e_{td} , shall include emissions from the transport of raw and semi-finished materials and from the storage and distribution of finished materials. Emissions from transport and distribution to be taken into account under point 5 shall not be covered by this point.

13. Emissions of CO₂ from fuel in use, e_u , shall be taken to be zero for biomass fuels. Emissions of non-CO₂ greenhouse gases (CH₄ and N₂O) from the fuel in use shall be included in the e_u factor.

14. Emission savings from CO₂ capture and geological storage, e_{ccs} , that have not already been accounted for in e_p , shall be limited to emissions avoided through the capture and storage of emitted CO₂ directly related to the extraction, transport, processing and distribution of biomass fuel if stored in compliance with Directive 2009/31/EC.

15. Emission savings from CO₂ capture and replacement, e_{ccr} , shall be related directly to the production of biomass fuel they are attributed to, and shall be limited to emissions avoided through the capture of CO₂ of which the carbon originates from biomass and which is used to replace fossil-derived CO₂ in production of commercial products and services.

16. Where a cogeneration unit – providing heat and/or electricity to a biomass fuel production process for which emissions are being calculated – produces excess electricity and/or excess useful heat, the greenhouse gas emissions shall be divided between the electricity and the useful heat according to the temperature of the heat (which reflects the usefulness (utility) of the heat). The useful part of the heat is found by

multiplying its energy content with the Carnot efficiency, C_{hr} , calculated as follows:

$$C_h = \frac{T_h - T_0}{T_h}$$

where

T_h = Temperature, measured in absolute temperature (kelvin) of the useful heat at point of delivery.

T_0 = Temperature of surroundings, set at 273,15 kelvin (equal to 0 °C).

If the excess heat is exported for heating of buildings, at a temperature below 150 °C (423,15 kelvin), C_h can alternatively be defined as follows:

C_h = Carnot efficiency in heat at 150 °C (423,15 kelvin), which is: 0,3546

For the purposes of that calculation, the actual efficiencies shall be used, defined as the annual mechanical energy, electricity and heat produced respectively divided by the annual energy input.

For the purposes of that calculation, the following definitions apply:

- (a) 'cogeneration' shall mean the simultaneous generation in one process of thermal energy and electrical and/or mechanical energy;
- (b) 'useful heat' shall mean heat generated to satisfy an economical justifiable demand for heat, for heating or cooling purposes;
- (c) 'economically justifiable demand' shall mean the demand that does not exceed the needs for heat or cooling and which would otherwise be satisfied at market conditions.

17. Where a biomass fuel production process produces, in combination, the fuel for which emissions are being calculated and one or more other products ('co-products'), greenhouse gas emissions shall be divided between the fuel or its intermediate product and the co-products in proportion to their energy content (determined by lower heating value in the case of co-products other than electricity and heat). The greenhouse gas intensity of excess useful heat or excess electricity is the same as the greenhouse gas intensity of heat or electricity delivered to the biomass fuel production process and is determined from calculating the greenhouse gas intensity of all inputs and emissions, including the feedstock and CH_4 and N_2O emissions, to and from the cogeneration unit, boiler or other apparatus delivering heat or electricity to the biomass fuel production process. In the case of cogeneration of electricity and heat, the calculation is performed following point 16.

18. For the purposes of the calculations referred to in point 17, the emissions to be divided shall be $e_{ec} + e_i + e_{sca} +$ those fractions of e_p , e_{td} , e_{ccs} and e_{ccr} that take place up to and including the process step at which a co-product is produced. If any allocation to co-products has taken place at an earlier process step in the life-cycle, the fraction of those emissions assigned in the last such process step to the intermediate fuel product shall be used for those purposes instead of the total of those emissions.

In the case of biogas and biomethane, all co-products that do not fall under the scope of point 7 shall be taken into account for the purposes of that calculation. No emissions shall be allocated to wastes and residues. Co-products that have a negative energy content shall be considered to have an energy content of zero for the purposes of the calculation.

Wastes and residues, including tree tops and branches, straw, husks, cobs and nut shells, and residues from processing, including crude glycerine (glycerine that is not refined) and bagasse, shall be considered

to have zero life-cycle greenhouse gas emissions up to the process of collection of those materials irrespectively of whether they are processed to interim products before being transformed into the final product. In the case of biomass fuels produced in refineries, other than the combination of processing plants with boilers or cogeneration units providing heat and/or electricity to the processing plant, the unit of analysis for the purposes of the calculation referred to in point 17 shall be the refinery.

19. For biomass fuels used for the production of electricity, for the purposes of the calculation referred to in point 3, the fossil fuel comparator $EC_{F(e)}$ shall be 183 g CO₂eq/MJ electricity or 212 g CO₂eq/MJ electricity for the outermost regions.

For biomass fuels used for the production of useful heat, as well as for the production of heating and/or cooling, for the purposes of the calculation referred to in point 3, the fossil fuel comparator $EC_{F(h)}$ shall be 80 g CO₂eq/MJ heat.

For biomass fuels used for the production of useful heat, in which a direct physical substitution of coal can be demonstrated, for the purposes of the calculation referred to in point 3, the fossil fuel comparator $EC_{F(h)}$ shall be 124 g CO₂eq/MJ heat.

For biomass fuels used as transport fuels, for the purposes of the calculation referred to in point 3, the fossil fuel comparator $E_{F(t)}$ shall be 94 g CO₂eq/MJ.

(8) The formula for calculating greenhouse gas emissions from the extraction or cultivation of raw materials eec describes cases where feedstock is converted into biofuels in one step. For more complex supply chains, adjustments are needed for calculating greenhouse gas emissions from the extraction or cultivation of raw materials eec for intermediate products.

(9) Measurements of soil carbon can constitute such evidence, e.g. by a first measurement in advance of the cultivation and subsequent ones at regular intervals several years apart. In such a case, before the second measurement is available, increase in soil carbon would be estimated on the basis of representative experiments or soil models. From the second measurement onwards, the measurements would constitute the basis for determining the existence of an increase in soil carbon and its magnitude.

(10) The quotient obtained by dividing the molecular weight of CO₂ (44,010 g/mol) by the molecular weight of carbon (12,011 g/mol) is equal to 3,664.

(11) Cropland as defined by IPCC.

(12) Perennial crops are defined as multi-annual crops, the stem of which is usually not annually harvested such as short rotation coppice and oil palm.

(13) Commission Decision 2010/335/EU of 10 June 2010 on guidelines for the calculation of land carbon stocks for the purpose of Annex V to Directive 2009/28/EC (OJ L 151, 17.6.2010, p. 19).

C. DISAGGREGATED DEFAULT VALUES FOR BIOMASS FUELS

Wood briquettes or pellets

Biomass fuel production system	Transport distance	Greenhouse gas emissions – typical value (g CO ₂ eq/MJ)				Greenhouse gas emissions – default value (g CO ₂ eq/MJ)			
		Cultivation	Processing	Transport	Non-CO ₂ emissions from the fuel in use	Cultivation	Processing	Transport	Non-CO ₂ emissions from the fuel in use
Wood chips from forest residues	1 to 500 km	0,0	1,6	3,0	0,4	0,0	1,9	3,6	0,5
	500 to 2 500 km	0,0	1,6	5,2	0,4	0,0	1,9	6,2	0,5
	2 500 to 10 000 km	0,0	1,6	10,5	0,4	0,0	1,9	12,6	0,5
	Above 10 000 km	0,0	1,6	20,5	0,4	0,0	1,9	24,6	0,5
Wood chips from SRC (Eucalyptus)	2 500 to 10 000 km	4,4	0,0	11,0	0,4	4,4	0,0	13,2	0,5
	1 to 500 km	3,9	0,0	3,5	0,4	3,9	0,0	4,2	0,5
Wood chips from SRC (Poplar – fertilised)	500 to 2 500 km	3,9	0,0	5,6	0,4	3,9	0,0	6,8	0,5
	2 500 to 10 000 km	3,9	0,0	11,0	0,4	3,9	0,0	13,2	0,5
	Above 10 000 km	3,9	0,0	21,0	0,4	3,9	0,0	25,2	0,5
	1 to 500 km	2,2	0,0	3,5	0,4	2,2	0,0	4,2	0,5
Wood chips from SRC (Poplar – Not fertilised)	500 to 2 500 km	2,2	0,0	5,6	0,4	2,2	0,0	6,8	0,5
	2 500 to 10 000 km	2,2	0,0	11,0	0,4	2,2	0,0	13,2	0,5
	Above 10 000 km	2,2	0,0	21,0	0,4	2,2	0,0	25,2	0,5
	1 to 500 km	1,1	0,3	3,0	0,4	1,1	0,4	3,6	0,5
Wood chips from stemwood	500 to 2 500 km	1,1	0,3	5,2	0,4	1,1	0,4	6,2	0,5
	2 500 to 10 000 km	1,1	0,3	10,5	0,4	1,1	0,4	12,6	0,5
	Above 10 000 km	1,1	0,3	20,5	0,4	1,1	0,4	24,6	0,5
	1 to 500 km	0,0	0,3	3,0	0,4	0,0	0,4	3,6	0,5
Wood chips from wood industry residues	500 to 2 500 km	0,0	0,3	5,2	0,4	0,0	0,4	6,2	0,5
	2 500 to 10 000 km	0,0	0,3	10,5	0,4	0,0	0,4	12,6	0,5
	Above 10 000 km	0,0	0,3	20,5	0,4	0,0	0,4	24,6	0,5
	1 to 500 km	0,0	0,3	3,0	0,4	0,0	0,4	3,6	0,5

Wood briquettes or pellets

Biomass fuel production system	Transport distance	Greenhouse gas emissions – typical value (g CO ₂ eq/MJ)				Greenhouse gas emissions – default value (g CO ₂ eq/MJ)			
		Cultivation	Processing	Transport & distribution	Non-CO ₂ emissions from the fuel in use	Cultivation	Processing	Transport & distribution	Non-CO ₂ emissions from the fuel in use
Wood briquettes or pellets from forest residues (case 1)	1 to 500 km	0,0	25,8	2,9	0,3	0,0	30,9	3,5	0,3
	500 to 2 500 km	0,0	25,8	2,8	0,3	0,0	30,9	3,3	0,3
	2 500 to 10 000 km	0,0	25,8	4,3	0,3	0,0	30,9	5,2	0,3
	Above 10 000 km	0,0	25,8	7,9	0,3	0,0	30,9	9,5	0,3
Wood briquettes or pellets from forest residues (case 2a)	1 to 500 km	0,0	12,5	3,0	0,3	0,0	15,0	3,6	0,3
	500 to 2 500 km	0,0	12,5	2,9	0,3	0,0	15,0	3,5	0,3
	2 500 to 10 000 km	0,0	12,5	4,4	0,3	0,0	15,0	5,3	0,3
	Above 10 000 km	0,0	12,5	8,1	0,3	0,0	15,0	9,8	0,3
Wood briquettes or pellets from forest residues (case 3a)	1 to 500 km	0,0	2,4	3,0	0,3	0,0	2,8	3,6	0,3
	500 to 2 500 km	0,0	2,4	2,9	0,3	0,0	2,8	3,5	0,3
	2 500 to 10 000 km	0,0	2,4	4,4	0,3	0,0	2,8	5,3	0,3
	Above 10 000 km	0,0	2,4	8,2	0,3	0,0	2,8	9,8	0,3
Wood briquettes from short rotation coppice (Eucalyptus – case 1)	2 500 to 10 000 km	3,9	24,5	4,3	0,3	3,9	29,4	5,2	0,3
Wood briquettes from short rotation coppice (Eucalyptus – case 2a)	2 500 to 10 000 km	5,0	10,6	4,4	0,3	5,0	12,7	5,3	0,3
Wood briquettes from short rotation coppice (Eucalyptus – case 3a)	2 500 to 10 000 km	5,3	0,3	4,4	0,3	5,3	0,4	5,3	0,3
Wood briquettes from short rotation coppice (Poplar – Fertilised – case 1)	1 to 500 km	3,4	24,5	2,9	0,3	3,4	29,4	3,5	0,3
	500 to 10 000 km	3,4	24,5	4,3	0,3	3,4	29,4	5,2	0,3
	Above 10 000 km	3,4	24,5	7,9	0,3	3,4	29,4	9,5	0,3

Wood briquettes from short rotation coppice (Poplar – Fertilised – case 2a)	1 to 500 km	4,4	10,6	3,0	0,3	4,4	12,7	3,6	0,3
	500 to 10 000 km	4,4	10,6	4,4	0,3	4,4	12,7	5,3	0,3
	Above 10 000 km	4,4	10,6	8,1	0,3	4,4	12,7	9,8	0,3
Wood briquettes from short rotation coppice (Poplar – Fertilised – case 3a)	1 to 500 km	4,6	0,3	3,0	0,3	4,6	0,4	3,6	0,3
	500 to 10 000 km	4,6	0,3	4,4	0,3	4,6	0,4	5,3	0,3
	Above 10 000 km	4,6	0,3	8,2	0,3	4,6	0,4	9,8	0,3
Wood briquettes from short rotation coppice (Poplar – no fertilisation – case 1)	1 to 500 km	2,0	24,5	2,9	0,3	2,0	29,4	3,5	0,3
	500 to 2 500 km	2,0	24,5	4,3	0,3	2,0	29,4	5,2	0,3
	2 500 to 10 000 km	2,0	24,5	7,9	0,3	2,0	29,4	9,5	0,3
Wood briquettes from short rotation coppice (Poplar – no fertilisation – case 2a)	1 to 500 km	2,5	10,6	3,0	0,3	2,5	12,7	3,6	0,3
	500 to 10 000 km	2,5	10,6	4,4	0,3	2,5	12,7	5,3	0,3
	Above 10 000 km	2,5	10,6	8,1	0,3	2,5	12,7	9,8	0,3
Wood briquettes from short rotation coppice (Poplar – no fertilisation – case 3a)	1 to 500 km	2,6	0,3	3,0	0,3	2,6	0,4	3,6	0,3
	500 to 10 000 km	2,6	0,3	4,4	0,3	2,6	0,4	5,3	0,3
	Above 10 000 km	2,6	0,3	8,2	0,3	2,6	0,4	9,8	0,3
Wood briquettes or pellets from stemwood (case 1)	1 to 500 km	1,1	24,8	2,9	0,3	1,1	29,8	3,5	0,3
	500 to 2 500 km	1,1	24,8	2,8	0,3	1,1	29,8	3,3	0,3
	2 500 to 10 000 km	1,1	24,8	4,3	0,3	1,1	29,8	5,2	0,3
	Above 10 000 km	1,1	24,8	7,9	0,3	1,1	29,8	9,5	0,3
Wood briquettes or pellets from stemwood (case 2a)	1 to 500 km	1,4	11,0	3,0	0,3	1,4	13,2	3,6	0,3
	500 to 2 500 km	1,4	11,0	2,9	0,3	1,4	13,2	3,5	0,3
	2 500 to 10 000 km	1,4	11,0	4,4	0,3	1,4	13,2	5,3	0,3
	Above 10 000 km	1,4	11,0	8,1	0,3	1,4	13,2	9,8	0,3
Wood briquettes or pellets from stemwood (case 3a)	1 to 500 km	1,4	0,8	3,0	0,3	1,4	0,9	3,6	0,3
	500 to 2 500 km	1,4	0,8	2,9	0,3	1,4	0,9	3,5	0,3
	2 500 to 10 000 km	1,4	0,8	4,4	0,3	1,4	0,9	5,3	0,3
	Above 10 000 km	1,4	0,8	8,2	0,3	1,4	0,9	9,8	0,3

Wood briquettes or pellets from wood industry residues (case 1)	1 to 500 km	0,0	14,3	2,8	0,3	0,0	17,2	3,3	0,3
	500 to 2 500 km	0,0	14,3	2,7	0,3	0,0	17,2	3,2	0,3
	2 500 to 10 000 km	0,0	14,3	4,2	0,3	0,0	17,2	5,0	0,3
	Above 10 000 km	0,0	14,3	7,7	0,3	0,0	17,2	9,2	0,3
Wood briquettes or pellets from wood industry residues (case 2a)	1 to 500 km	0,0	6,0	2,8	0,3	0,0	7,2	3,4	0,3
	500 to 2 500 km	0,0	6,0	2,7	0,3	0,0	7,2	3,3	0,3
	2 500 to 10 000 km	0,0	6,0	4,2	0,3	0,0	7,2	5,1	0,3
	Above 10 000 km	0,0	6,0	7,8	0,3	0,0	7,2	9,3	0,3
Wood briquettes or pellets from wood industry residues (case 3a)	1 to 500 km	0,0	0,2	2,8	0,3	0,0	0,3	3,4	0,3
	500 to 2 500 km	0,0	0,2	2,7	0,3	0,0	0,3	3,3	0,3
	2 500 to 10 000 km	0,0	0,2	4,2	0,3	0,0	0,3	5,1	0,3
	Above 10 000 km	0,0	0,2	7,8	0,3	0,0	0,3	9,3	0,3

Agriculture pathways

Biomass fuel production system	Transport distance	Greenhouse gas emissions – typical value (g CO ₂ eq/MJ)				Greenhouse gas emissions – default value (g CO ₂ eq/MJ)			
		Cultivation	Processing	Transport & distribution	Non - CO ₂ emissions from the fuel in use	Cultivation	Processing	Transport & distribution	Non - CO ₂ emissions from the fuel in use
Agricultural Residues with density <0,2 t/m ³	1 to 500 km	0,0	0,9	2,6	0,2	0,0	1,1	3,1	0,3
	500 to 2 500 km	0,0	0,9	6,5	0,2	0,0	1,1	7,8	0,3
	2 500 to 10 000 km	0,0	0,9	14,2	0,2	0,0	1,1	17,0	0,3
Agricultural Residues with density > 0,2 t/m ³	Above 10 000 km	0,0	0,9	28,3	0,2	0,0	1,1	34,0	0,3
	1 to 500 km	0,0	0,9	2,6	0,2	0,0	1,1	3,1	0,3
	500 to 2 500 km	0,0	0,9	3,6	0,2	0,0	1,1	4,4	0,3
Straw pellets	2 500 to 10 000 km	0,0	0,9	7,1	0,2	0,0	1,1	8,5	0,3
	Above 10 000 km	0,0	0,9	13,6	0,2	0,0	1,1	16,3	0,3
	1 to 500 km	0,0	5,0	3,0	0,2	0,0	6,0	3,6	0,3
Bagasse briquettes	500 to 10 000 km	0,0	5,0	4,6	0,2	0,0	6,0	5,5	0,3
	Above 10 000 km	0,0	5,0	8,3	0,2	0,0	6,0	10,0	0,3
	500 to 10 000 km	0,0	0,3	4,3	0,4	0,0	0,4	5,2	0,5
Palm Kernel Meal	Above 10 000 km	0,0	0,3	8,0	0,4	0,0	0,4	9,5	0,5
	Above 10 000 km	21,6	21,1	11,2	0,2	21,6	25,4	13,5	0,3
Palm Kernel Meal (no CH ₄ emissions from oil mill)	Above 10 000 km	21,6	3,5	11,2	0,2	21,6	4,2	13,5	0,3

Disaggregated default values for biogas for the production of electricity

Biomass fuel production system	Technology	TYPICAL VALUE [g CO ₂ eq/MJ]				DEFAULT VALUE [g CO ₂ eq/MJ]					
		Cultivation	Processing	Non - CO ₂ emissions from the fuel in use	Transport	Manure credits	Cultivation	Processing	Non - CO ₂ emissions from the fuel in use	Transport	Manure credits
Wet manure ⁽¹⁴⁾	Open digestate	0,0	69,6	8,9	0,8	- 107,3	0,0	97,4	12,5	0,8	- 107,3
	Close digestate	0,0	0,0	8,9	0,8	- 97,6	0,0	0,0	12,5	0,8	- 97,6
	Open digestate	0,0	74,1	8,9	0,8	- 107,3	0,0	103,7	12,5	0,8	- 107,3
Maize whole plant ⁽¹⁵⁾	Close digestate	0,0	4,2	8,9	0,8	- 97,6	0,0	5,9	12,5	0,8	- 97,6
	Open digestate	0,0	83,2	8,9	0,9	- 120,7	0,0	116,4	12,5	0,9	- 120,7
	Close digestate	0,0	4,6	8,9	0,8	- 108,5	0,0	6,4	12,5	0,8	- 108,5
Maize whole plant ⁽¹⁵⁾	Open digestate	15,6	13,5	8,9	0,0 ⁽¹⁶⁾	—	15,6	18,9	12,5	0,0	—
	Close digestate	15,2	0,0	8,9	0,0	—	15,2	0,0	12,5	0,0	—
	Open digestate	15,6	18,8	8,9	0,0	—	15,6	26,3	12,5	0,0	—
Biowaste	Close digestate	15,2	5,2	8,9	0,0	—	15,2	7,2	12,5	0,0	—
	Open digestate	17,5	21,0	8,9	0,0	—	17,5	29,3	12,5	0,0	—
	Close digestate	17,1	5,7	8,9	0,0	—	17,1	7,9	12,5	0,0	—
Biowaste	Open digestate	0,0	21,8	8,9	0,5	—	0,0	30,6	12,5	0,5	—
	Close digestate	0,0	0,0	8,9	0,5	—	0,0	0,0	12,5	0,5	—
	Open digestate	0,0	27,9	8,9	0,5	—	0,0	39,0	12,5	0,5	—
Biowaste	Close digestate	0,0	5,9	8,9	0,5	—	0,0	8,3	12,5	0,5	—
	Open digestate	0,0	31,2	8,9	0,5	—	0,0	43,7	12,5	0,5	—
	Close digestate	0,0	6,5	8,9	0,5	—	0,0	9,1	12,5	0,5	—

(*14) The values for biogas production from manure include negative emissions for emissions saved from raw manure management. The value of esca considered is equal to - 45 g CO₂eq/MJ manure used in anaerobic digestion.

(*15) Maize whole plant means maize harvested as fodder and ensiled for preservation.

(*16) Transport of agricultural raw materials to the transformation plant is, according to the methodology provided in the Commission's report of 25 February 2010 on sustainability requirements for the use of solid and gaseous biomass sources in electricity, heating and cooling, included in the 'cultivation' value. The value for transport of maize silage accounts for 0.4 g CO₂eq/MJ biogas.

Disaggregated default values for biomethane

Biomethane production system	Technological option		TYPICAL VALUE [g CO ₂ eq/MJ]						DEFAULT VALUE [g CO ₂ eq/MJ]					
			Cultivation	Processing	Upgrading	Transport	Compression at filling station	Manure credits	Cultivation	Processing	Upgrading	Transport	Compression at filling station	Manure credits
Wet manure	Open digestate	no off-gas combustion	0,0	84,2	19,5	1,0	3,3	-124,4	0,0	117,9	27,3	1,0	4,6	-124,4
		off-gas combustion	0,0	84,2	4,5	1,0	3,3	-124,4	0,0	117,9	6,3	1,0	4,6	-124,4
	Close digestate	no off-gas combustion	0,0	3,2	19,5	0,9	3,3	-111,9	0,0	4,4	27,3	0,9	4,6	-111,9
		off-gas combustion	0,0	3,2	4,5	0,9	3,3	-111,9	0,0	4,4	6,3	0,9	4,6	-111,9
Maize whole plant	Open digestate	no off-gas combustion	18,1	20,1	19,5	0,0	3,3	—	18,1	28,1	27,3	0,0	4,6	—
		off-gas combustion	18,1	20,1	4,5	0,0	3,3	—	18,1	28,1	6,3	0,0	4,6	—
	Close digestate	no off-gas combustion	17,6	4,3	19,5	0,0	3,3	—	17,6	6,0	27,3	0,0	4,6	—
		off-gas combustion	17,6	4,3	4,5	0,0	3,3	—	17,6	6,0	6,3	0,0	4,6	—
Biowaste	Open digestate	no off-gas combustion	0,0	30,6	19,5	0,6	3,3	—	0,0	42,8	27,3	0,6	4,6	—
		off-gas combustion	0,0	30,6	4,5	0,6	3,3	—	0,0	42,8	6,3	0,6	4,6	—
	Close digestate	no off-gas combustion	0,0	5,1	19,5	0,5	3,3	—	0,0	7,2	27,3	0,5	4,6	—
		off-gas combustion	0,0	5,1	4,5	0,5	3,3	—	0,0	7,2	6,3	0,5	4,6	—

D. TOTAL TYPICAL AND DEFAULT VALUES FOR BIOMASS FUEL PATHWAYS

Biomass fuel production system	Transport distance	Greenhouse gas emissions – typical value (g CO₂eq/MJ)	Greenhouse gas emissions – default value (g CO₂eq/MJ)
Woodchips from forest residues	1 to 500 km	5	6
	500 to 2 500 km	7	9
	2 500 to 10 000 km	12	15
	Above 10 000 km	22	27
Woodchips from short rotation coppice (Eucalyptus)	2 500 to 10 000 km	16	18
Woodchips from short rotation coppice (Poplar – Fertilised)	1 to 500 km	8	9
	500 to 2 500 km	10	11
	2 500 to 10 000 km	15	18
	Above 10 000 km	25	30
Woodchips from short rotation coppice (Poplar – No fertilisation)	1 to 500 km	6	7
	500 to 2 500 km	8	10
	2 500 to 10 000 km	14	16
	Above 10 000 km	24	28
Woodchips from stemwood	1 to 500 km	5	6
	500 to 2 500 km	7	8
	2 500 to 10 000 km	12	15
	Above 10 000 km	22	27
Woodchips from industry residues	1 to 500 km	4	5
	500 to 2 500 km	6	7
	2 500 to 10 000 km	11	13
	Above 10 000 km	21	25
Wood briquettes or pellets from forest residues (case 1)	1 to 500 km	29	35
	500 to 2 500 km	29	35
	2 500 to 10 000 km	30	36
	Above 10 000 km	34	41
Wood briquettes or pellets from forest residues (case 2a)	1 to 500 km	16	19
	500 to 2 500 km	16	19
	2 500 to 10 000 km	17	21
	Above 10 000 km	21	25
Wood briquettes or pellets from forest residues (case 3a)	1 to 500 km	6	7
	500 to 2 500 km	6	7
	2 500 to 10 000 km	7	8
	Above 10 000 km	11	13

Wood briquettes or pellets from short rotation coppice (Eucalyptus – case 1)	2 500 to 10 000 km	33	39
Wood briquettes or pellets from short rotation coppice (Eucalyptus – case 2a)	2 500 to 10 000 km	20	23
Wood briquettes or pellets from short rotation coppice (Eucalyptus – case 3a)	2 500 to 10 000 km	10	11
Wood briquettes or pellets from short rotation coppice (Poplar – Fertilised – case 1)	1 to 500 km	31	37
	500 to 10 000 km	32	38
	Above 10 000 km	36	43
Wood briquettes or pellets from short rotation coppice (Poplar – Fertilised – case 2a)	1 to 500 km	18	21
	500 to 10 000 km	20	23
	Above 10 000 km	23	27
Wood briquettes or pellets from short rotation coppice (Poplar – Fertilised – case 3a)	1 to 500 km	8	9
	500 to 10 000 km	10	11
	Above 10 000 km	13	15
Wood briquettes or pellets from short rotation coppice (Poplar – no fertilisation – case 1)	1 to 500 km	30	35
	500 to 10 000 km	31	37
	Above 10 000 km	35	41
Wood briquettes or pellets from short rotation coppice (Poplar – no fertilisation – case 2a)	1 to 500 km	16	19
	500 to 10 000 km	18	21
	Above 10 000 km	21	25
Wood briquettes or pellets from short rotation coppice (Poplar – no fertilisation – case 3a)	1 to 500 km	6	7
	500 to 10 000 km	8	9
	Above 10 000 km	11	13
Wood briquettes or pellets from stem-wood (case 1)	1 to 500 km	29	35
	500 to 2 500 km	29	34
	2 500 to 10 000 km	30	36
	Above 10 000 km	34	41
Wood briquettes or pellets from stem-wood (case 2a)	1 to 500 km	16	18
	500 to 2 500 km	15	18
	2 500 to 10 000 km	17	20
	Above 10 000 km	21	25
Wood briquettes or pellets from stem-wood (case 3a)	1 to 500 km	5	6
	500 to 2 500 km	5	6
	2 500 to 10 000 km	7	8
	Above 10 000 km	11	12

Wood briquettes or pellets from wood industry residues (case 1)	1 to 500 km	17	21
	500 to 2 500 km	17	21
	2 500 to 10 000 km	19	23
	Above 10 000 km	22	27
Wood briquettes or pellets from wood industry residues (case 2a)	1 to 500 km	9	11
	500 to 2 500 km	9	11
	2 500 to 10 000 km	10	13
	Above 10 000 km	14	17
Wood briquettes or pellets from wood industry residues (case 3a)	1 to 500 km	3	4
	500 to 2 500 km	3	4
	2 500 to 10 000	5	6
	Above 10 000 km	8	10

Comments

Case 1 refers to processes in which a Natural Gas boiler is used to provide the process heat to the pellet mill. Process electricity is purchased from the grid.

Case 2a refers to processes in which a boiler fuelled with wood chips is used to provide the process heat to the pellet mill. Process electricity is purchased from the grid.

Case 3a refers to processes in which a CHP, fuelled with wood chips, is used to provide heat and electricity to the pellet mill.

Biomass fuel production system	Transport distance	Greenhouse gas emissions – typical value (g CO₂eq/MJ)	Greenhouse gas emissions – default value (g CO₂eq/MJ)
Agricultural Residues with density < 0,2 t/m ³ ⁽¹⁷⁾	1 to 500 km	4	4
	500 to 2 500 km	8	9
	2 500 to 10 000 km	15	18
	Above 10 000 km	29	35
Agricultural Residues with density > 0,2 t/m ³ ⁽¹⁸⁾	1 to 500 km	4	4
	500 to 2 500 km	5	6
	2 500 to 10 000 km	8	10
	Above 10 000 km	15	18
Straw pellets	1 to 500 km	8	10
	500 to 10 000 km	10	12
	Above 10 000 km	14	16

Bagasse briquettes	500 to 10 000 km	5	6
	Above 10 000 km	9	10
Palm Kernel Meal	Above 10 000 km	54	61
Palm Kernel Meal (no CH ₄ emissions from oil mill)	Above 10 000 km	37	40
(*17) This group of materials includes agricultural residues with a low bulk density and it comprises materials such as straw bales, oat hulls, rice husks and sugar cane bagasse bales (not exhaustive list).			
(*18) The group of agricultural residues with higher bulk density includes materials such as corn cobs, nut shells, soybean hulls, palm kernel shells (not exhaustive list).			

Typical and default values – biogas for electricity

Biogas production system		Technological option	Typical value	Default value
			Greenhouse gas emissions (g CO ₂ eq/MJ)	Greenhouse gas emissions (g CO ₂ eq/MJ)
Biogas for electricity from wet manure	Case 1	Open digestate ⁽¹⁹⁾	- 28	3
		Close digestate ⁽²⁰⁾	- 88	- 84
	Case 2	Open digestate	- 23	10
		Close digestate	- 84	- 78
	Case 3	Open digestate	- 28	9
		Close digestate	- 94	- 89
Biogas for electricity from maize whole plant	Case 1	Open digestate	38	47
		Close digestate	24	28
	Case 2	Open digestate	43	54
		Close digestate	29	35
	Case 3	Open digestate	47	59
		Close digestate	32	38
Biogas for electricity from bio-waste	Case 1	Open digestate	31	44
		Close digestate	9	13
	Case 2	Open digestate	37	52
		Close digestate	15	21
	Case 3	Open digestate	41	57
		Close digestate	16	22

(*19) Open storage of digestate accounts for additional emissions of methane which change with the weather, the substrate and the digestion efficiency. In these calculations the amounts are taken to be equal to 0,05 MJ CH₄/MJ biogas for manure, 0,035 MJ CH₄/MJ biogas for maize and 0,01 MJ CH₄/MJ biogas for bio-waste.

(*20) Close storage means that the digestate resulting from the digestion process is stored in a gas tight tank and the additional biogas released during storage is considered to be recovered for production of additional electricity or biomethane.

Typical and default values for biomethane

Biomethane production system	Technological option	Greenhouse gas emissions – typical value (g CO₂eq/MJ)	Greenhouse gas emissions – default value (g CO₂eq/MJ)
Biomethane from wet manure	Open digestate, no off-gas combustion ⁽²¹⁾	– 20	22
	Open digestate, off-gas combustion ⁽²²⁾	– 35	1
	Close digestate, no off-gas combustion	– 88	– 79
	Close digestate, off-gas combustion	– 103	– 100
Biomethane from maize whole plant	Open digestate, no off-gas combustion	58	73
	Open digestate, off-gas combustion	43	52
	Close digestate, no off-gas combustion	41	51
	Close digestate, off-gas combustion	26	30
Biomethane from bio-waste	Open digestate, no off-gas combustion	51	71
	Open digestate, off-gas combustion	36	50
	Close digestate, no off-gas combustion	25	35
	Close digestate, off-gas combustion	10	14
<p>(*21) This category includes the following categories of technologies for biogas upgrade to biomethane: Pressure Swing Adsorption (PSA), Pressure Water Scrubbing (PWS), Membranes, Cryogenic, and Organic Physical Scrubbing (OPS). It includes an emission of 0,03 MJ CH₄/MJ biomethane for the emission of methane in the off-gases.</p> <p>(*22) This category includes the following categories of technologies for biogas upgrade to biomethane: Pressure Water Scrubbing (PWS) when water is recycled, Pressure Swing Adsorption (PSA), Chemical Scrubbing, Organic Physical Scrubbing (OPS), Membranes and Cryogenic upgrading. No methane emissions are considered for this category (the methane in the off-gas is combusted, if any).</p>			

Typical and default values – biogas for electricity – mixtures of manure and maize: greenhouse gas emissions with shares given on a fresh mass basis

Biogas production system		Technological options	Greenhouse gas emissions – typical value (g CO ₂ eq/MJ)	Greenhouse gas emissions – default value (g CO ₂ eq/MJ)
Manure – Maize 80 % - 20 %	Case 1	Open digestate	17	33
		Close digestate	- 12	- 9
	Case 2	Open digestate	22	40
		Close digestate	- 7	- 2
	Case 3	Open digestate	23	43
		Close digestate	- 9	- 4
Manure – Maize 70 % - 30 %	Case 1	Open digestate	24	37
		Close digestate	0	3
	Case 2	Open digestate	29	45
		Close digestate	4	10
	Case 3	Open digestate	31	48
		Close digestate	4	10
Manure – Maize 60 % - 40 %	Case 1	Open digestate	28	40
		Close digestate	7	11
	Case 2	Open digestate	33	47
		Close digestate	12	18
	Case 3	Open digestate	36	52
		Close digestate	12	18

Comments

Case 1 refers to pathways in which electricity and heat required in the process are supplied by the CHP engine itself.

Case 2 refers to pathways in which the electricity required in the process is taken from the grid and the process heat is supplied by the CHP engine itself. In some Contracting Parties, operators are not allowed to claim the gross production for subsidies and case 1 is the more likely configuration.

Case 3 refers to pathways in which the electricity required in the process is taken from the grid and the process heat is supplied by a biogas boiler. This case applies to some installations in which the CHP engine is not on-site and biogas is sold (but not upgraded to biomethane).

Typical and default values – biomethane - mixtures of manure and maize: greenhouse gas emissions with shares given on a fresh mass basis

Biomethane production system	Technological options	Typical value	Default value
		(g CO ₂ eq/MJ)	(g CO ₂ eq/MJ)
Manure – Maize 80 % - 20 %	Open digestate, no off-gas combustion	32	57
	Open digestate, off-gas combustion	17	36
	Close digestate, no off-gas combustion	– 1	9
	Close digestate, off-gas combustion	– 16	– 12
Manure – Maize 70 % - 30 %	Open digestate, no off-gas combustion	41	62
	Open digestate, off-gas combustion	26	41
	Close digestate, no off-gas combustion	13	22
	Close digestate, off-gas combustion	– 2	1
Manure – Maize 60 % - 40 %	Open digestate, no off-gas combustion	46	66
	Open digestate, off-gas combustion	31	45
	Close digestate, no off-gas combustion	22	31
	Close digestate, off-gas combustion	7	10

Where biomethane is used as Compressed Biomethane as a transport fuel, a value of 3,3 g CO₂eq/MJ biomethane needs to be added to the typical values and a value of 4,6 g CO₂eq/MJ biomethane to the default values.

ANNEX VII

ACCOUNTING OF ENERGY FROM HEAT PUMPS

The amount of aerothermal, geothermal or hydrothermal energy captured by heat pumps to be considered to be energy from renewable sources for the purposes of this Directive, E_{RES} , shall be calculated in accordance with the following formula:

$$E_{RES} = Q_{usable} * (1 - 1/SPF)$$

where

- = Q_{usable} = the estimated total usable heat delivered by heat pumps fulfilling the criteria referred to in Article 7(4), implemented as follows: Only heat pumps for which $SPF > 1,15 * 1/\eta$ shall be taken into account,
- = SPF = the estimated average seasonal performance factor for those heat pumps,
- = η = the ratio between total gross production of electricity and the primary energy consumption for the production of electricity and shall be calculated as an EU average based on Eurostat data.

ANNEX VIII

PART A. PROVISIONAL ESTIMATED INDIRECT LAND-USE CHANGE EMISSIONS FROM BIOFUEL, BIOLIQUID AND BIOMASS FUEL FEEDSTOCK (g CO₂eq/MJ) ⁽¹⁾

Feedstock group	Mean ⁽²⁾	Interpercentile range derived from the sensitivity analysis ⁽³⁾
Cereals and other starch-rich crops	12	8 to 16
Sugars	13	4 to 17
Oil crops	55	33 to 66

PART B. BIOFUELS, BIOLIQUIDS AND BIOMASS FUELS FOR WHICH THE ESTIMATED INDIRECT LAND-USE CHANGE EMISSIONS ARE CONSIDERED TO BE ZERO

Biofuels, bioliquids and biomass fuels produced from the following feedstock categories will be considered to have estimated indirect land-use change emissions of zero:

(1) feedstocks which are not listed under part A of this Annex.

(2) feedstocks, the production of which has led to direct land-use change, namely, a change from one of the following IPCC land cover categories: forest land, grassland, wetlands, settlements, or other land, to cropland or perennial cropland ⁽⁴⁾. In such a case a direct land-use change emission value (e_i) should have been calculated in accordance with point 7 of part C of Annex V.

⁽¹⁾ The mean values reported here represent a weighted average of the individually modelled feedstock values. The magnitude of the values in the Annex is sensitive to the range of assumptions (such as treatment of co-products, yield developments, carbon stocks and displacement of other commodities) used in the economic models developed for their estimation. Although it is therefore not possible to fully characterise the uncertainty range associated with such estimates, a sensitivity analysis conducted on the results based on a random variation of key parameters, a so-called Monte Carlo analysis, was conducted.

⁽²⁾ The mean values included here represent a weighted average of the individually modelled feedstock values.

⁽³⁾ The range included here reflects 90 % of the results using the fifth and ninety-fifth percentile values resulting from the analysis. The fifth percentile suggests a value below which 5 % of the observations were found (namely, 5 % of total data used showed results below 8, 4, and 33 g CO₂eq/MJ). The ninety-fifth percentile suggests a value below which 95 % of the observations were found (namely, 5 % of total data used showed results above 16, 17, and 66 g CO₂eq/MJ).

⁽⁴⁾ Perennial crops are defined as multi-annual crops, the stem of which is usually not annually harvested such as short rotation coppice and oil palm.

ANNEX IX

PART A.

Feedstocks for the production of biogas for transport and advanced biofuels, the contribution of which towards the minimum shares referred to in the first and fourth subparagraphs of Article 25(1) may be considered to be twice their energy content:

- (a) Algae if cultivated on land in ponds or photobioreactors;
- (b) Biomass fraction of mixed municipal waste, but not separated household waste subject to recycling targets under point (a) of Article 11(2) of Directive 2008/98/EC;
- (c) Biowaste as defined in point (4) of Article 3 of Directive 2008/98/EC from private households subject to separate collection as defined in point (11) of Article 3 of that Directive;
- (d) Biomass fraction of industrial waste not fit for use in the food or feed chain, including material from retail and wholesale and the agro-food and fish and aquaculture industry, and excluding feedstocks listed in part B of this Annex;
- (e) Straw;
- (f) Animal manure and sewage sludge;
- (g) Palm oil mill effluent and empty palm fruit bunches;
- (h) Tall oil pitch;
- (i) Crude glycerine;
- (j) Bagasse;
- (k) Grape marcs and wine lees;
- (l) Nut shells;
- (m) Husks;
- (n) Cobs cleaned of kernels of corn;
- (o) Biomass fraction of wastes and residues from forestry and forest-based industries, namely, bark, branches, pre-commercial thinnings, leaves, needles, tree tops, saw dust, cutter shavings, black liquor, brown liquor, fibre sludge, lignin and tall oil;
- (p) Other non-food cellulosic material;
- (q) Other ligno-cellulosic material except saw logs and veneer logs.

PART B.

Feedstocks for the production of biofuels and biogas for transport, the contribution of which towards the minimum share established in the first subparagraph of Article 25(1) shall be limited and may be considered to be twice their energy content:

- (a) Used cooking oil;
- (b) Animal fats classified as categories 1 and 2 in accordance with Regulation (EC) No 1069/2009.

ANNEX X**PART A****Repealed Directive with a list of the successive amendments thereto (referred to in Article 37)**

Directive 2009/28/EC of the European Parliament and of the Council (OJ L 140, 5.6.2009, p. 16)	
Council Directive 2013/18/EU (OJ L 158, 10.6.2013, p. 230)	
Directive (EU) 2015/1513 of the European Parliament and of the Council (OJ L 239, 15.9.2015, p. 1)	Only Article 2

PART B**Time-limits for transposition into national law**

(referred to in Article 36)

Directive	Time-limit for transposition
2009/28/EC	25 June 2009
2013/18/EU	1 July 2013
(EU) 2015/1513	10 September 2017

ANNEX XI

Correlation table

Directive 2009/28/EC	This Directive
Article 1	Article 1
Article 2, first subparagraph	Article 2, first subparagraph
Article 2, second subparagraph, introductory wording	Article 2, second subparagraph, introductory wording
Article 2, second subparagraph, point (a)	Article 2, second subparagraph, point (1)
Article 2, second subparagraph, point (b)	—
—	Article 2, second subparagraph, point (2)
Article 2, second subparagraph, point (c)	Article 2, second subparagraph, point (3)
Article 2, second subparagraph, point (d)	—
Article 2, second subparagraph, points (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), (o), (p), (q), (r), (s), (t), (u), (v) and (w)	Article 2, second subparagraph, points (24), (4), (19), (32), (33), (12), (5), (6), (45), (46), (47), (23), (39), (41), (42), (43), (36), (44) and (37)
—	Article 2, second subparagraph, points (7), (8), (9), (10), (11), (13), (14), (15), (16), (17), (18), (20), (21), (22), (25), (26), (27), (28), (29), (30), (31), (34), (35), (38) and (40)
Article 3	—
—	Article 3
Article 4	—
—	Article 4
—	Article 5
—	Article 6
Article 5(1)	Article 7(1)
Article 5(2)	—
Article 5(3)	Article 7(2)
Article 5(4), first, second, third and fourth subparagraphs	Article 7(3), first, second, third and fourth subparagraphs
—	Article 7(3), fifth and sixth subparagraphs
—	Article 7(4)
Article 5(5),	Article 27(1), first subparagraph, point (c)
Article 5(6) and (7)	Article 7(5) and (6)
Article 6(1)	Article 8(1)
—	Article 8(2) and (3)
Article 6(2) and (3)	Article 8(4) and (5)

Article 7(1), (2), (3), (4) and (5)	Article 9(1), (2), (3), (4) and (5)
—	Article 9(6)
Article 8	Article 10
Article 9(1)	Article 11(1)
Article 9(2), first subparagraph, points (a), (b) and (c)	Article 11(2), first subparagraph, points (a), (b) and (c)
—	Article 11(2), first subparagraph, point (d)
Article 10	Article 12
Article 11(1), (2) and (3)	Article 13(1), (2) and (3)
—	Article 13(4)
Article 12	Article 14
Article 13(1), first subparagraph	Article 15(1), first subparagraph
Article 13(1), second subparagraph	Article 15(1), second subparagraph
Article 13(1), second subparagraph, points (a) and (b)	—
Article 13(1), second subparagraph, points (c), (d), (e) and (f)	Article 15(1), second subparagraph, points (a), (b), (c) and (d)
Article 13(2), (3), (4) and (5)	Article 15(2), (3), (4) and (5)
Article 13(6), first subparagraph	Article 15(6), first subparagraph
Article 13(6), second, third, fourth and fifth subparagraphs	—
—	Article 15, (7) and (8)
—	Article 16
—	Article 17
Article 14	Article 18
Article 15(1)	Article 19(1)
Article 15(2), first, second and third subparagraphs	Article 19(2) first, second and third subparagraphs
—	Article 19(2), fourth and fifth subparagraphs
Article 15(2), fourth subparagraph	Article 19(2), sixth subparagraph
Article 15(3)	—
—	Article 19(3) and (4)
Article 15(4) and (5)	Article 19(5) and (6)
Article 15(6), first subparagraph, point (a)	Article 19(7), first subparagraph, point (a)
Article 15(6), first subparagraph, point (b)(i)	Article 19(7), first subparagraph, point (b)(i)
—	Article 19(7), first subparagraph, point (b)(ii)
Article 15(6), first subparagraph, point (b)(ii)	Article 19(7), first subparagraph, point (b)(iii)

Article 15(6), first subparagraph, points (c), (d), (e) and (f)	Article 19(7), first subparagraph, points (c), (d), (e) and (f)
—	Article 19(7), second subparagraph
Article 15(7)	Article 19(8)
Article 15(8)	—
Article 15(9) and (10)	Article 19(9) and (10)
—	Article 19(11)
Article 15(11)	Article 19(12)
Article 15(12)	—
—	Article 19(13)
Article 16(1), (2), (3), (4), (5), (6), (7) and (8)	—
Article 16(9), (10) and (11)	Article 20(1), (2) and (3)
—	Article 21
—	Article 22
—	Article 23
—	Article 24
—	Article 25
—	Article 26
—	Article 27
—	Article 28
Article 17(1), first and second subparagraphs	Article 29(1), first and second subparagraphs
—	Article 29(1), third, fourth and fifth subparagraphs
—	Article 29(2)
Article 17(2), first and second subparagraphs	—
Article 17(2), third subparagraph	Article 29(10), third subparagraph
Article 17(3), first subparagraph, point (a)	Article 29(3), first subparagraph, point (a)
—	Article 29(3), first subparagraph, point (b)
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—	Article 29(3), second subparagraph
Article 17(4)	Article 29(4)
Article 17(5)	Article 29(5)
Article 17(6) and (7)	—
—	Article 29(6), (7), (8), (9), (10) and (11)
Article 17(8)	Article 29(12)
Article 17(9)	—
—	Article 29(13) and (14)
Article 18(1), first subparagraph	Article 30(1), first subparagraph

Article 18(1), first subparagraph, points (a), (b) and (c)	Article 30(1), first subparagraph, points (a), (c) and (d)
—	Article 30(1), first subparagraph, point (b)
—	Article 30(1), second subparagraph
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—	Article 30(2)
Article 18(3), first subparagraph	Article 30(3), first subparagraph
Article 18(3), second and third subparagraphs	—
Article 18(3), fourth and fifth subparagraphs	Article 30(3), second and third subparagraphs
Article 18(4), first subparagraph	—
Article 18(4), second and third subparagraphs	Article 30(4), first and second subparagraphs
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Article 18(5), first and second subparagraphs	Article 30(7), first and second subparagraphs
Article 18(5), third subparagraph	Article 30(8), first and second subparagraphs
Article 18(5), fourth subparagraph	Article 30(5), third subparagraph
—	Article 30(6), first subparagraph
Article 18(5), fifth subparagraph	Article 30(6), second subparagraph
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—	Article 30(9), second subparagraph
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—	Article 31(1), first subparagraph, point (d)
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