

Integrated impact assessment

Descriptive sheet

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B. Draft

Regulation title

Royal Decree laying down detailed rules on biofuels from co-processed biomass and amending the Royal Decree of 14 December 2023 laying down detailed rules on the functioning of the register in the road and rail transport sector

Brief description of the draft regulation indicating its origin (treaty, directive, cooperation agreement, current affairs, etc.) and intended purposes of implementation.

This royal decree incorporates Commission Delegated Regulation (EU) 2023/1640 of 5 June 2023 on the method for determining the percentage of biofuels and biogas for transport produced from biomass co-processed with fossil fuels and Article 3, Section 1, fourth paragraph, and Section 4, fourth paragraph, and Article 6, sixth paragraph, of the Act of 31 July 2023 laying down product standards for the integration of energy from renewable sources into fossil motor fuels intended for the transport sector and amending the Act of 29 April 1999 on the organisation of the electricity market and amending the Act of 12 April 1965 on the transport of gaseous and other products by means of pipelines.

Its purpose is to lay down the detailed rules under which the process of co-processing and the percentage of energy from category A, B and C biofuels of the co-processed biomass in the finished products resulting from the co-processing will be approved in order to help comply with the obligations to integrate energy from renewable sources into fuels intended for the transport sector, as laid down in Article 7 of the aforementioned law of 31 July 2023.

The decision lays down, for control purposes, the procedure for reporting and recording in the energy register the quantities produced by producers of finished product from co-processed biomass.

It also amends the Royal Decree of 14 December 2023 on the energy register in order to limit the transfer of energy units between companies and prevent intermediaries from placing the units on the market, thereby increasing the price for oil companies and suppliers of gaseous fuels that have to meet targets.

Impact assessments already conducted:

☐ Yes ☒ No

C. Consultation on the draft regulation

Mandatory, optional or informal consultations

Opinion of the Inspector of Finance accredited to the FPS Economy, opinion of the Federal Council for Sustainable Development, the Central Council for Business and the Special Advisory Committee on Consumption, opinion of the Council of State

D. Sources used to conduct the impact assessment

Statistics, reference documents, organisations and reference persons

Not applicable

What impact does the draft regulation have on these 21 topics?

1. Combating poverty

☐ Positive impact ☐ Negative impact | ☒ No impact

2. Equal opportunities and social cohesion

☐ Positive impact ☐ Negative impact | ☒ No impact

3. Gender equality

1. Which individuals does the draft impact (directly or indirectly) and what is the gender breakdown of these group(s) of individuals?

☐ Individuals are impacted. | ☒ Individuals are not impacted.

Explain why:

Not applicable

4. Health

☐ Positive impact ☐ Negative impact | ☒ No impact

5. Employment

☐ Positive impact ☐ Negative impact | ☒ No impact

6. Consumption and production patterns

☐ Positive impact ☐ Negative impact | ☒ No impact

7. Economic development

☐ Positive impact ☐ Negative impact | ☒ No impact

8. Investments

☐ Positive impact ☐ Negative impact | ☒ No impact

9. Research and development

☒ Positive impact ☐ Negative impact | ☐ No impact

Explain

The draft decree encourages the new possibility of producing fuels through co-processing (refining of fuels and biofuels).

10. SMEs

1. Which companies are directly or indirectly concerned?

☒ Companies (including SMEs) are concerned. | ☐ Companies are not concerned.

Describe the sector(s), number of companies, % of SMEs |

Producers of finished products from co-processed biomass (refineries)

2.

2. Identify the positive and negative impact of the draft on SMEs.

Note that the impact on administrative burden should be detailed in point 11.

The quantities of biofuels produced by producers from biomass produced through subcontracted biomass production will be considered for the targets for the integration of renewable energy into fuels for the transport sector, provided that the producers submit a technical file and report their production to DG Energy.

☐ There is a negative impact.

11. Administrative burden

☐ Companies or citizens are impacted.

☒ Companies or citizens are not impacted.

12. Energy

☒ Positive impact

☐ Negative impact

☐ No impact

Explain

This draft decree makes it possible to comply with European legislation on renewable energy, namely Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (hereinafter RED II Directive) and Commission Delegated Regulation (EU) 2023/1640 of 5 June 2023 on the method for determining the percentage of biofuels and biogas for transport produced from biomass co-processed with fossil fuels by companies producing category A, B and C biofuels, the energy content of these biofuels may be considered for the target for the inclusion of renewable energy in motor fuels for the transport sector.

This may also contribute to the target of achieving the target percentage of renewable energy in final energy consumption in the transport sector by 2030, in line with Article 25 of the RED III Directive, to reduce dependence on fossil fuels and contribute to a reduction of greenhouse gases in the transport sector.

13. Mobility

☐ Positive impact

☐ Negative impact

☒ No impact

14. Food

☐ Positive impact

☐ Negative impact

☒ No impact

15. Climate change

☒ Positive impact

☐ Negative impact

☐ No impact

Explain

This draft decree makes it possible to comply with European legislation on renewable energy, namely Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (hereinafter RED II Directive) and Commission Delegated Regulation (EU) 2023/1640 of 5 June 2023 on the method for determining the percentage of biofuels and biogas for transport produced from biomass co-processed with fossil fuels by companies producing category A, B and C biofuels, the energy content of these biofuels may be considered for the target for the inclusion of renewable energy in motor fuels for the transport sector.

This may also contribute to the target of achieving the target percentage of renewable energy in final energy consumption in the transport sector by 2030, in line with Article 25 of the RED III Directive, to reduce dependence on fossil fuels and contribute to a reduction of greenhouse gases in the transport sector.

16. Natural resources

☐ Positive impact ☐ Negative impact | ☒ No impact

17. Outdoor and indoor air

☐ Positive impact ☐ Negative impact | ☒ No impact

18. Biodiversity

☐ Positive impact ☐ Negative impact | ☒ No impact

19. Nuisance

☐ Positive impact ☐ Negative impact | ☒ No impact

20. Government

☐ Positive impact ☐ Negative impact | ☒ No impact

21. Policy coherence for development

1. Identify any direct or indirect impact of the draft on developing countries in the areas of: food security, health and access to medicine, decent employment, local and international trade, income and mobilisation of local resources (assessment), mobility of persons, the environment and climate change (clean development mechanisms), peace and security.

☐ Impact on developing countries | ☒ No impact on developing countries.

Explain why:

Not applicable