

Message 001

Communication from the Commission - TRIS/(2026) 1800

Directive (EU) 2015/1535

Notification: 2026/0341/NL

Notification of a draft text from a Member State

Notification – Notification – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késésekét - Non fa decorrere la mora - Atidėjimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħx il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20261800.EN

1. MSG 001 IND 2026 0341 NL EN 07-07-2026 NL NOTIF

2. Netherlands

3A. Ministerie van Financiën

Belastingdienst/Douane centrale dienst voor in- en uitvoer

3B. Ministerie van Economische Zaken en Klimaat, Directie Wetgeving en Juridische Zaken, Afdeling Klimaat en Energie

4. 2026/0341/NL - N00E - ENERGY CARRIER

5. Regulation of the Minister of Climate Policy and Green Growth of dd-mm-yyyy, No WJZ/106047297, designating categories of production installations for the production of sustainable energy production and climate transition in 2026

6. Facilities for the production of renewable electricity, gas, heat, combined production of renewable electricity and heat and other greenhouse gas abatement technologies

7.

8. This Regulation provides for the possibility of stimulating renewable electricity production, renewable gas production, renewable heat production and other greenhouse gas reduction technology for opening in 2026. The provisions of the Regulation take over the key features of the previous SDEK regulation, most recently the Regulation on the designation of categories of renewable energy production and climate transition 2025. For the first time, the scheme introduces a differentiated approach to CO storage; new categories have been introduced for the continued use of large B-grade wood boilers for heating and for solar PV intended for use along roads and railways; and a longer implementation period has been included for hydrogen produced from waste, hydrogen produced by electrolysis, and hydrogen produced by the gasification of biomass. In addition, some categories have been deleted as there is too little interest in them and some categories have been amended or clarified.

The SDE++ focuses on the large-scale roll-out of technology that produces renewable energy or otherwise reduces greenhouse gas emissions. The main characteristics are:

- one grant ceiling per opening;
- a phased opening in which projects with lower subsidy requirements per tonne of greenhouse gas avoided (the subsidy intensity) will apply earlier, with provision also for the 2026 gate system;
- a basic amount per production plant, which defines the maximum integral cost for each production facility for which the subsidy is granted.

This Regulation concerns the sixth opening round of the SDE++. With this sixth round of opening, a commitment budget of EUR 8 billion shall be made available for the reduction in greenhouse gas emissions. This Regulation identifies the categories of technology for which subsidies can be applied. A project applicant may claim a subsidy only if the application meets all the requirements applicable to the relevant technology category. In accordance with the SDEK Decree, applications shall therefore be assessed on their completeness but also on their financial and technical feasibility.

The odd Articles 13 to 85 may contain technical requirements. This concerns the definition of categories of production facilities for which a subsidy may be applied. Also this year, an assessment has been carried out to decide the categories for which a subsidy may be applied for, and the scheme has been adjusted accordingly by updating some categories.

This Regulation does not include a mutual recognition clause because mutual recognition is already covered by the Decree on Conformity Assessment of Solid Biomass for Energy Applications, which is associated to this regulation.

9. Regulations have previously been notified which, in terms of technical requirements, are largely consistent with this regulation: the Regulation on the Designation of Categories of Renewable Energy Production 2010 to 2024 (including 2020/48/NL, 2020/569/NL, 2021/0424/NL, 2022/0263/NL, 2023/0410/NL, 2024/0382/NL and, most recently, the Regulation on the Designation of Categories of Renewable Energy Production 2025 (2025/0326/NL)).

The aim of the regulation is to encourage techniques that produce renewable energy, on the one hand, and, on the other hand, reduce greenhouse gas emissions on the other.

The requirements are non-discriminatory because they apply equally to all facilities that are eligible for subsidy and do not discriminate between Member States.

The requirements are proportionate. The only objective of the requirements is to ensure that there is a

certain degree of efficiency and to avoid the coexistence with other government support.

It is an overriding reason of general interest, namely the protection of the environment and energy transition and the renewable energy share target of Directive (EU) 2018/2001.

9a. The requirements are appropriate to protect that interest by encouraging techniques that produce renewable energy, on the one hand, and, on the other hand, reduce greenhouse gas emissions.

9b. The requirements are necessary to meet the renewable energy share target of Directive (EU) 2018/2001 in an efficient manner and with the available resources, and they are seen as necessary to achieve environmental protection and the necessary energy transition.

9c. The requirements do not go beyond what is necessary to protect this interest and are the least restrictive means of achieving this objective, as the requirements are not guiding the type of production plant used and have no other effects beyond the promotion of efficiency and the prevention of overstimulation.

10. Numbers or titles of the basic texts:

11. No

12.

13. No

14. Yes

15. No

16.

TBT aspects: No

SPS aspects: No

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