

Message 001

Communication from the Commission - TRIS/(2026) 2572

Directive (EU) 2015/1535

Notification: 2026/0501/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: 20262572.EN

1. MSG 001 IND 2026 0501 NL EN 15-09-2026 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. 2026/0501/NL - N30E - Gas

5. Regulation of the Minister for Climate and Green Growth relating to implementing rules for the blending obligation for green gas

6. Gas from renewable sources (biomethane or e-methane) meeting the sustainability and greenhouse gas emission reduction criteria set out in Article 29(1) to (7) and (10) or Article 29bis, respectively, and Article 30 of the Renewable Energy Directive.

7.

8. Articles 4 and 5 of this draft Regulation may contain technical regulations.

Article 4 stipulates that any party wishing to record gas from renewable sources in the GGE register must enter into the register certain details from the guarantee of origin and the sustainability certificate relating to the specific supply of green gas.

Article 5 of this draft Regulation provides that the party registering gas from renewable sources must demonstrate, by means of the sustainability certificate and the guarantee of origin, that no operating grant has been paid for the production of gas from renewable sources that is registered in the GGE register.

Both the requirement of the guarantee of origin and the requirement that no operating grant may have been paid for the production of the supplied green gas have already been mentioned in the explanatory memorandum to the bill and in the reply of the Dutch authorities of 20 November 2025 to the European Commission's Detailed Opinion on the bill (notification/25868/message/113837/NL). This Regulation constitutes a further elaboration of that bill. Furthermore, these requirements have also been set out in the draft Decree on the obligation to blend green gas, of which this draft Regulation also forms a detailed elaboration.

9. As also stated in the notification of the draft Decree on the obligation to blend green gas, the requirement for a guarantee of origin and the requirement that no operating grant has been paid for green gas used for the blending obligation may constitute technical requirements.

Although these requirements have already been notified under the draft Decree, these requirements are being re-notified under this draft Regulation. The reason for this is that the draft Decree was notified only a few days prior to this draft Regulation, and the requirements set out in this draft Regulation are a direct implementation of Article 9.9.4.1 of the bill. Although the bill mentions the requirement for a guarantee of origin and the exclusion of subsidised green gas in the explanatory memorandum, the bill itself does not contain any articles setting out these potential technical requirements.

In the draft Regulation, these requirements are set out in more detail in Articles 4 and 5 respectively. For example, an energy supplier wishing to record gas from renewable sources in the GGE register must, pursuant to Article 4, include certain details from the guarantee of origin. This data needs to be collected in order to determine whether the conditions of the blending obligation have been met and whether, for example, there has been any double counting. The potential technical requirement does not lie in the administrative obligation itself, but in the source of these data: the guarantee of origin.

Article 5 of the draft Regulation stipulates that an energy supplier that wishes to record gas from renewable sources in the GGE register must demonstrate that no operating grant has been paid for the production of that gas. This is achieved by the energy supplier through the guarantee of origin in addition to the proof of sustainability. In this case, the potential technical requirement lies in excluding green gas for which State aid has been received.

As also indicated in the notification of the draft Decree, these requirements are justified by overriding

reasons relating to the public interest, in particular protection of the environment. The GGE register is the system by which energy suppliers can demonstrate that they have complied with the blending obligation for gas from renewable sources and that no operating grants have been paid. These data also enable the compliance officer to carry out supervision.

The requirements are non-discriminatory and apply to any quantity of green gas supplied to fulfil the blending obligation, irrespective of the country of production and the country of introduction into the interconnected Union gas network.

9a. Regarding the guarantee of origin

The guarantee of origin requirement is an appropriate means as it can be used to demonstrate that the green gas supply is of renewable origin. The guarantee of origin therefore serves the environment. As set out in Article 19(8) of the Renewable Energy Directive and in Annex I to the revised Gas Directive (EU) 2024/1788, to which that paragraph refers, the supplier is required to demonstrate to final consumers the proportion or quantity of energy from renewable sources in its energy mix by means of guarantees of origin.

The fact that the requirement is non-discriminatory follows from the fact that the requirements are the same for all gas from renewable sources, regardless of where the production plant is located and where the green gas is fed into the interconnected gas network of the European Union. Each producer must be able to demonstrate the renewability of the green gas with a marketable guarantee of origin, and each energy supplier must be able to demonstrate that the gas it supplies to final customers has a valid guarantee of origin. In addition, guarantees of origin from other Member States are also accepted without distinction, as follows from Article 2.60 of the Energy Act.

Regarding the exclusion of subsidised green gas

The exclusion of subsidised green gas also protects the environment, as this ensures that the price difference for green gas is not determined by the extent to which the green gas is subsidised, but rather by the instruments of the Renewable Energy Directive, which determine the extent to which certain raw materials or production methods contribute to the overall reduction in greenhouse gas emissions. This is in line with the system governing the blending obligation, which is not linked to volumes of green gas, but to the total greenhouse gas emission reductions achieved. In addition, this allows for a level playing field to be created for all producers of green gas within the European Union. This makes the exclusion of subsidised green gas a suitable measure.

This requirement is non-discriminatory, as the requirement applies to all green gas used for the blending obligation. No distinction is made between the green gas produced and fed into the grid in the Netherlands and the green gas produced and fed into the grid in another Member State. In both cases, the green gas may not have been subsidised.

9b. Regarding the guarantee of origin

This requirement does not go beyond what is necessary as it is consistent with the harmonised instrument of Article 19 of the Renewable Energy Directive harmonised at European level. Pursuant to the first paragraph, each Member State must 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. To this end, Member States must ensure that a guarantee of origin is issued at the request of a producer (second paragraph).

Regarding the exclusion of subsidised green gas

This requirement is necessary as it is the only viable way to prevent overstimulation, on the one hand, and to ensure a level playing field, on the other. In fact, it is very difficult, if not impossible, to apply a correction to the price paid for purchased green gas that has been subsidised. This necessitates a uniform market price or other index or benchmark that can be used to calculate the value of a physical supply of green gas.

9c. Regarding the guarantee of origin

Given the mandatory nature of Annex I, Section 5, of the revised Gas Directive, there is no other less restrictive means by which energy suppliers can demonstrate to their end users that the gas supplied comes from renewable sources. This means that there is no less restrictive measure than the requirement for a guarantee of origin. The requirement is therefore proportionate.

Regarding the exclusion of subsidised green gas

Given the wide variation of production scales and production methods, there is no single price for green gas to be calculated as an approximation for a benchmark. However, in order to create a level playing field that avoids overstimulation, green gas produced inside and outside the Netherlands is excluded if it has been produced with the help of an operating grant. For this reason, the requirement is proportionate.

10. Numbers or titles of the basic texts: There are no basic texts.

11. No

12.

13. No

14. No

15. No

16.

TBT aspects: No

SPS aspects: No

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