

Message 001

Communication from the Commission - TRIS/(2026) 0279

Directive (EU) 2015/1535

Notification: 2026/0037/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 - Atidējimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ 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: 20260279.EN

1. MSG 001 IND 2026 0037 NL EN 27-01-2026 NL NOTIF

2. Netherlands

3A. Ministerie van Financiën Belastingdienst/ Douane Centrale dienst voor in- en uitvoer

3B. Ministerie van Klimaat en Groene Groei

Directie Wetgeving en Juridische Zaken

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4. 2026/0037/NL - N20E - Electricity

5. Regulation of the Minister for Climate and Green Growth amending the Cooperative Energy Generation Subsidy Scheme, containing several technical amendments

6. This is an operating subsidy for production facilities that use solar or wind energy to generate electricity.

7.

8. The regulation amends the Cooperative Energy Generation Subsidy Scheme and may contain the following technical requirements for production installations:

- The new requirement for subsidies for solar PV on weak roofs is a manufacturer's declaration that the roof is load-bearing in line with the requirements set out in the Decree on construction works in the living environment (Article 13(5)).
- Relaxation of requirements for wind turbine replacement: the wind turbine to be replaced no longer needs to have been in operation for 15 years and the replacement wind turbine must generate at least 1 MW. With the amendment to Article 22(1), part k, subpart 1, only one of these two requirements needs to be met.
- As of 2027, the requirement that if the applicant has connected their production installation to a small consumer connection, the allocation point must be a pure feed-in allocation point will no longer apply. This requirement will no longer be necessary from 2027 onwards, as the risk of overstimulation will cease to exist once the net metering scheme is abolished.

A mutual recognition clause is not necessary. In the case of the requirement in Article 13(5), because it only concerns the mandatory inclusion of a manufacturer's declaration that existing standards are met. This ensures that the solar panels are installed safely. No further requirements have been imposed on the manufacturer's declaration itself. In the case of the requirements in Article 22(1) and Article 29(2), because these concern a relaxation or the removal of existing requirements respectively.

9. The subsidy scheme makes it easier for local residents to participate in renewable energy production facilities in their immediate vicinity. This is a subsidy for the local, small-scale generation of renewable energy. The subsidy will be opened before 2026 with a separate opening decision, for which separate notification has been given.

The opening decision adds a new category of production installations (solar PV on weak roofs). The present regulation, Article 13(5), sets requirements for the implementation of this new category in view of safety (a compelling reason of public interest). The other points mentioned under 9 concern relaxations of existing technical requirements that contribute to an effective and efficient subsidy scheme, which, taken as a whole, contributes to the protection of the environment (an overriding reason in the public interest), more specifically the reduction of greenhouse gases in the context of the energy transition that is necessary due to climate change.

The requirements are also the least restrictive means to achieve this goal (proportionally) because these requirements only concern the designation of the categories (in the opening decision) and the setting of certain requirements for the purposes of safety and environmental protection (in these regulations) and do not go beyond that. The requirement regarding the manufacturer's declaration only contains the obligation to verify that the roof is load-bearing in line with existing legal requirements.

The requirements are also non-discriminatory. The technical requirements do not have any discriminatory impacts since they apply equally to all installations eligible for subsidies and do not differentiate between Member States.

10. Numbers or titles of the basic texts: The basic texts were submitted with a previous notification:  
2021/0112/NL

11. No

12.

13. No

14. Yes

15. No

16.

TBT aspects: No

SPS aspects: No

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European Commission

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