

Message 001

Communication from the Commission - TRIS/(2026) 0282

Directive (EU) 2015/1535

Notification: 2026/0038/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: 20260282.EN

1. MSG 001 IND 2026 0038 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

Bezuidenhoutseweg 73

Postbus 20401

2500 EK Den Haag

4. 2026/0038/NL - S00E - ENVIRONMENT

5. Decree of the Minister of Climate and Green Growth on the opening of the Cooperative Energy Generation Subsidy Scheme 2026 (Decree on the opening of the Cooperative Energy Generation Subsidy Scheme 2026)

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

7.

8. As in the 2022 opening decree, the 2023 opening decree, the 2024 opening decree and the 2025 opening decree, the enforcement of the 2026 opening decree will open up the subsidy to the generation of renewable electricity in production installations using solar or wind energy designated in the decree. Unlike previous years, there will be no category for hydropower.

Article 3 contains descriptions of the categories of production installations. Solar-powered production installations with a large-scale consumer connection may have a maximum additional contracted feed-in power of up to 50% of the peak power of the solar panels, resulting in more renewable energy projects for the same network capacity. These are technical regulations. A mutual recognition clause is not necessary because the regulations in question are descriptive in nature and there is no prohibition of products placed on the market in another Member State. The descriptions of the categories of production installations refer to power and the type of connection. This is independent of the domestic or foreign origin of (parts of the) production installation.

9. The opening decree is part of the Cooperative Energy Generation Subsidy Scheme, which entered into force in 2021 and was notified (2021/0112/NL). The 2021 opening decree has also been notified (2021/0113/NL), as have subsequent opening decrees. As in previous opening decrees, the 2026 opening decree opens the subsidy for production facilities designated in the decision for the generation of renewable electricity using solar or wind energy.

The categories of production installations concerned are technologies that are regularly implemented by the target group of the scheme, namely cooperatives and associations of owners, in order to produce electricity. Subsidising such production installations stimulates local, small-scale renewable energy generation. For larger production installations, subsidisation is provided through the already existing Decree on the promotion of sustainable energy production and climate transition.

The technical requirements are necessary to protect the environment, namely to reduce greenhouse gases as part of the energy transition required by climate change. The requirements are also the least restrictive means to achieve this objective because those requirements concern only the designation of the categories and do not go further. The chosen limits enable small-scale generation and the possibility to choose between different technologies. The requirements therefore do not go beyond what is necessary to stimulate local, small-scale generation and are suitable for promoting sustainable energy generation. This is in line with the Renewable Energy Directive and the Electricity Directive.

The technical requirements do not have any discriminatory impacts, as they apply equally to all installations eligible for subsidy and do not discriminate 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

European Commission

Contact point Directive (EU) 2015/1535

email: grow-dir2015-1535-central@ec.europa.eu