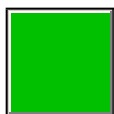
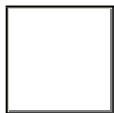


Summary of the assessment of national guarantees of origin for electricity produced from renewable sources (GO) and disclosure systems for the purpose of decisions about the recognition of imported GO

On behalf of the German Federal Ministry for Economic Affairs and Energy

Belgium – Flanders



Introduction

The German Federal Ministry for Economic Affairs and Energy (BMWi) and the German Federal Environment Agency (UBA) are currently assessing general questions on whether guarantees of origin for electricity produced from renewable sources (GO) from other Member States

of the European Union and further states can be recognized in the course of Article 15 of the Directive 2009/28/EC. The evaluation of the legal and practical set-up of the national systems for GO and electricity disclosure is performed by a consortium of external lawyers (Becker Büttner Held Rechtsanwälte (BBH)) and consultants (Öko-Institut e. V.).



General

As of 18.07.2014, assessment of available information regarding system-related issues does not result in well-founded doubts about accuracy, reliability or veracity of GO issued in and imported from Flanders, so that in accordance with Article 15 Directive 2009/28/EC, there seems to be no reason at present for non-recognition of such GO.

Specifics

GO from Flanders are issued for 1 MWh and their function is **exclusively related to the electricity disclosure**. For electricity of unknown origin an ENTSO-E production mix is used from which however the **share of renewable electricity is subtracted**. GO are not used for fulfilment of the renewable energy targets under Art. 3 Directive 2009/28/EC, neither do they play a role as regards the calculation of gross final energy consumption. GO can only be used once and are cancelled upon use in the electronic register. The same applies to exported GO, so that double-counting and double-use are effectively avoided. This is also ensured by the **EECS rules which the Flemish regulator VREG, the responsible issuing body for GO in Flanders, applies**. All installations with more than 200kW installed capacity have to undergo an ex ante inspection before GO can be issued for the respective electricity production, in order to ensure the correctness of the data, and plants above 1 MW have to submit a renewed **inspection report** every two years. Furthermore, while all producers are obliged to update the data in the register whenever necessary and VREG can at any time perform ad hoc inspections. GO are issued for net production only. **Unused GO expire within the register 12 months after the end of the production period**. There is an established system to **correct mistakes in the issuance of GO** and VREG follows cases of unjust enrichment in GO cases, as well as there are sanctions available under Belgian criminal law. GO contain all the data as required by Art. 15(6) Directive 2009/28/EC. Therefore, for the moment and regarding system-related issues, there are **no well-founded doubts as regards the accuracy, reliability or veracity of GO from Flanders**, so that it can be concluded that they can generally be recognized.

Summary of the assessment of national guarantees of origin for electricity produced from renewable sources (GO) and disclosure systems for the purpose of decisions about the recognition of imported GO
On behalf of the German Federal Ministry for Economic Affairs and Energy

	<p>Critical issues None.</p> <p>Reasons for non-recognition None.</p>
--	---

Please note

This summary, published by the German Federal Environment Agency (UBA), was prepared on the basis of the project-related contractual relationships between the Federal Ministry for Economic Affairs and Energy (BMWi) and Becker Büttner Held (BBH) and the Öko-Institut e.V. The publication or dissemination of the summary to third parties shall not create any legal relationships between BBH and/or the Öko-Institut e.V. and the respective third party; in particular, no legal mandate or consultancy contract shall be established. While all due care has been taken in the preparation of these summaries, neither BBH nor Öko-Institut e.V. assume any guarantee, liability or responsibility as regards their content towards third parties. BBH and Öko-Institut e.V. are not obliged towards third parties to submit any additional information or explanations as regards the content of the summaries.