

BE-C[C73]-R[R-703] PV-obligation for large consumers**BE-C[C73]-R[R-703]-M[229] Entry into force of legislation****Date of completion: Q2 2023****1) Context: description of the measure and relevant context from the CID annex** [text in full from the English version]

This reform introduces an obligation to install solar photovoltaic panels for private buildings located in Flanders that are connected to electricity offtake points where, from calendar year 2021, there is an offtake of more than 1 GWh per year and the buildings of public organizations located in Flanders that are connected to electricity offtake points where, from calendar year 2021, there is an offtake of more than 250 MWh per year. The implementation of the measure shall be completed by 30 June 2023.

2) Copy of the milestone/target wording [text in full from the English version]

Seq.num	Measure (reform or investment)	Milestone/Target	Name	Qualitative indicators (for milestones)	Quantitative indicators (for targets)			Indicative timetable for completion		Reporting and implementation responsibility	Description of each milestone and target
					Unit of measure	Baseline	Goal	Quarter	Year		
229	C73.R-703 PV-obligation for large consumers	Milestone	Entry into force of legislation	Provision in the legal act indicating the entry into force of provisions introducing the obligation to install solar panels for certain buildings				Q2	2023		Entry into force of the decree introducing an obligation to install photovoltaic solar panels for: (1) buildings located in Flanders that are connected to electricity offtake points where, from calendar year 2021, there is an offtake of more than 1 GWh per year and (2) the buildings of public organizations located in Flanders that are connected to electricity offtake points where, from calendar year 2021, there is an offtake of more than 250 MWh per year.

Verification mechanism:

Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of milestone and of the corresponding measure in the CID annex) was satisfactorily fulfilled. Copy of or link to the publication in the Moniteur Belge / Belgisch Staatsblad of the legal act and a reference to the provision(s) indicating the date of entry into force.

Further specification: (if relevant)

3) List of key evidence provided in FENIX

	Identifier [same as in FENIX]	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description	Link to the requirements below
1		Decree of November 25, 2022, amending the Energy Decree ["Energiedecreet"] of May 8, 2009, concerning the mandatory installation of photovoltaic solar panels on roof surfaces, Entry into force: December 19, 2022	Copy of Decree of November 25, 2022, amending the Energy Decree ["Energiedecreet"] of May 8, 2009, concerning the mandatory installation of photovoltaic solar panels on roof surfaces, published in the Belgian Official Gazette, December 9, 2022 [pages 109-112].	1 and 2
2		Decision of the Flemish Government of February 17, 2023 to amend the ["Energiebesluit"] of November 19, 2010, concerning the mandatory installation of photovoltaic solar panels on roof surfaces Entry into force: June 24, 2023	Copy of Decision of the Flemish Government of February 17, 2023 to amend the ["Energiebesluit"] of November 19, 2010, concerning the mandatory installation of photovoltaic solar panels on roof surfaces, published in the Belgian Official Gazette June 14, 2023, [pages 14-28]	1 and 2

4) Detailed justification

*[Explain clearly how the achievement of the milestone/target is demonstrated by the evidence provided, **covering ALL elements of the milestone/target and the elements of the measure description that are directly or indirectly linked to the milestone/target's requirements.** (e.g. the fact that (i) a certain institution had (ii) to accomplish something (iii) in a certain way in order (iv) to achieve a certain goal (v) by a certain date). Please provide **a clear link between all the below elements and the one or more evidence items listed above.***

Requirement 1: *Entry into force of the decree (by Q2 2023) introducing an obligation to install photovoltaic solar panels for buildings located in Flanders that are connected to electricity offtake points where, from calendar year 2021, there is an offtake of more than 1 GWh per year*

The Decree of November 25, 2022, established the legal basis for an obligation for the mandatory installation of photovoltaic solar panels on part or all of the roof surface by natural or legal persons who are the owner (or leaseholder) of a building located in Flanders. This obligation applies to buildings with an **annual gross electricity consumption exceeding 1 GWh** [Article 4 of the decree]. The decree delegates the authority to the Flemish Government to establish further modalities concerning, among other things, the installed capacity, the technical requirements, and the timeframe within which the installation of solar panels must occur [Article 4, first paragraph]. The decree entered into force 10 days after the publication in the Official Gazette, i.e. December 19, 2022.

By Decision of The Flemish Government of February 17, 2023, the Flemish Government determined that electricity off-take points with a consumed gross amount of electricity **exceeding 1 GWh in the calendar year 2021** must be installed by no later than June 30, 2025 [Article 3, chapter II, paragraph 3]. The decision entered into force 10 days after the publication in the Official Gazette, i.e. June 24, 2023.

Requirement 2: *Entry into force of the decree (by Q2 2023) introducing an obligation to install photovoltaic solar panels for **buildings of public organizations** located in Flanders that are connected to electricity offtake points where, from calendar year 2021, there is an offtake of more than 250 MWh per year*

Article 4, §2 of the decree of November 25, 2022, introduces a similar legal provision for buildings solely owned by **public organizations** located in Flanders with an annual gross electricity consumption threshold exceeding 500 MWh. The article mentions that the Flemish Government can lower this threshold between January 1, 2023 until December 31, 2025 to 250 MWh. From January 1, 2026, a threshold of 100 MWh will apply.

By Decision of February 17, 2023 the threshold was effectively lowered to **250 MWh**. By June 30, 2025, photovoltaic solar panels must be operational on public buildings with a gross electricity consumption of more than 250 MWh during the calendar year 2021 [Article 3, chapter III]. By January 1, 2026 this threshold lowers to 100 MWh per year.