

AIB Public Information Sheet 01

National / Regional Expiry Regulations

This Fact Sheet sets out the regulations that are in place in each EECS domain, concerning the expiry of EECS certificates.

This survey benefits from AIB member responses during the period 7th July to 11th September 2012.

Note that expiry relates to the certificate itself, rather than its eligibility as a specific type of certificate. That is, when a GO expires, so does any eligibility as an ICS certificate (e.g. a RECS certificate).

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Code	Name	RES GOs	RECS certificates
AT	Austria	<p>Disclosure by-law (§7 (2)) regulates that RES GOs must be used (= cancelled) by the end of the calendar year following the calendar year in which the associated electricity was produced.</p> <p>RES GOs do not expire, but they can only be used for disclosure purposes in Austria when the disclosure period includes the period when the electricity associated the certificate was produced.</p>	RECS certificates have the same regulation as RES GOs, except that RECS certificates are not accepted for disclosure purposes in Austria, and so they cannot be cancelled for this purpose.
BEB	Belgium (Brussels)	Unknown	<i>Competent body does not issue RECS certificates</i>
BEF	Belgium (Flanders)	<p>In Flanders, Guarantees of Origin normally expire 12 months after the end date of the production period. This rule applies both to GOs issued in Flanders, and to GOs issued outside of Flanders.</p> <p>The only exception to this rule is where a Flemish GO is issued more than 6 months after the date of production of the associated electricity for reasons that are outside of the influence of the certificate owner. In this case, the Flemish GO can be used for disclosure purposes up to 6 months after the production date.</p> <p>Reference for this rule: Article 7.1.5, § 3 of the Flemish Energy Decree of May 8th, 2009, as modified by the Decree of July 8th, 2011 regarding implementation of EU directive 2009/28/EC.</p> <p>The consequences of the technical implementation of this rule are:</p> <ul style="list-style-type: none"> • Certificates which are older than 12 months may not be imported into Flanders; and 	<i>Competent body does not issue RECS certificates</i>

¹ Non-members of AIB are displayed in *grey italics*

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		<ul style="list-style-type: none"> Certificates which have expired may not be exported or used for any purpose. 	
BEW	Belgium (Wallonia)	<p>Current legislation stipulates that:</p> <p>a) Expiry: a GO is valid from the last day of the production period until the end of the calendar year of the following year.</p> <p>b) Disclosure:</p> <p>a. only certificates that are valid at the moment of the cancellation request may be used for disclosure</p> <p>b. a request for cancellation may only take place</p> <p>i. at the earliest, on 1st January of year^Y for disclosure of year^Y</p> <p>ii. at the latest, on 31st March of year^{Y+1} for disclosure of year^Y</p> <p>The relevant pieces of legislation are</p> <p>a) Expiry: 30 Novembre 2006 – <i>Arrêté du Gouvernement wallon relatif à la promotion de l'électricité produite au moyen de sources d'énergie renouvelables ou de cogénération</i> - Art. 17bis.</p> <p>b) Disclosure: 13 décembre 2006 – <i>Arrêté ministériel établissant la méthode de détermination des sources d'énergie primaire utilisées pour produire de l'électricité.</i></p> <p>This legislation is expected to be updated later in 2012</p>	<i>Competent body does not issue RECS certificates</i>
<i>BU</i>	<i>Bulgaria</i>	<i>Competent body is not an AIB member</i>	<i>Not applicable</i>
CH	Switzerland	<p>Expiry</p> <p>In Switzerland, Guarantees of Origin (GO) are valid for 12 months after the end date of the production period but at least until the end of May of the following calendar year.</p> <p>GOs are issued for the following three types of production periods: calendar months, calendar quarters and calendar years.</p>	<p>Expiry</p> <p>In Switzerland the same expiration rules apply for RECS certificates as for GOs, since RECS is treated as an additional quality on a GO.</p> <p>Disclosure</p> <p>In Switzerland all available GOs have to be used for</p>

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		<p>Disclosure</p> <p>In Switzerland all available GOs have to be used for disclosure. Traded and exported GOs are not available to the supplier for disclosure anymore. Only valid GOs may be used for disclosure. Expired GOs are included in the national residual mix calculations. If no GO is available, other certificates (for example RECS) or other instruments can be used for disclosure. Suppliers have to collect all tracking information for their disclosure statement by the end of April of the following calendar year. The disclosure statement has to be provided to the end consumers until the end of the following calendar year at latest.</p> <p>Relevant national legislation</p> <ul style="list-style-type: none"> • Energy Act (26 June 1998, latest revision on 1 July 2012, disclosure introduced on 21 March 2003) • Energy Ordinance (7 December 1998, latest revision on 1 March 2012, disclosure introduced on 10 November 2004) • GO Ordinance (24 November 2006, latest revision on 1 October 2011) 	
CY	Cyprus	<i>Competent body is not an AIB member</i>	<i>Not applicable</i>
CZ	Czech Republic	<i>Competent body is not an AIB member</i>	<i>Not applicable</i>
DE	Germany	<p>The Energiewirtschaftsgesetz (EnWG) regulates electricity disclosure in Germany.</p> <p>In accordance with §42, the current EECS Domain Protocol requires GO to be used for the same disclosure year as the production year. Although the current DP requires GO from year^X to be cancelled before 15th December in year^{X+1}, actual practice requires cancellation before 1st October of year^{X+1}. This will be also reflected in the revised DP, which</p>	<p>There is no expiry rule for RECS certificates, although certificates for production in year^X are only cancelled until the corresponding disclosure deadline – which is currently end of October in year^{X+1}. RECS certificates that are held in accounts after this deadline can still be transferred and</p>

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		<p>will be published in autumn 2012.</p> <p>The background for this change is the changed timeline in the 2012 revision of the EnWG for publication of disclosure information by suppliers to end consumers. No technical expiry has been implemented in the EECS registry so far.</p> <p>At the beginning of 2013, the new GO registry at the German Federal Environmental Agency is expected to start operation, and will then bring the new German GO legislation into force. This means that GOs which are transferred in the UBA registry will expire 12 months after the end of production. GOs held in the “old” EECS registry will be valid for use for disclosure in Germany for 12 months after the start of operation of the new UBA registry.</p> <p>GO legislation is regulated in the Renewables Law (Erneuerbare Energien Gesetz – EEG), the GO Ordinance (Herkunftsnachweisverordnung - HKNV) and the GO Executive Ordinance (Herkunftsnachweisdurchführungsverordnung), which is currently being drafted.</p>	<p>exported, but cannot be cancelled any more in the German registry.</p>
DK	Denmark	<p>Expiry of RES GOs takes place 12 months after the end of the production period. This is regulated in “<i>Bekendtgørelse om oprindelsesgaranti for VE-elektricitet</i>”, which can be found at: http://www.energinet.dk/SiteCollectionDocuments/Danske%20dokumenter/EI/Bekendtgørelse%20om%20oprindelsesgaranti%20for%20VE-elektricitet%20-%20BEK%20nr.%201323%20af%203.12.2010.pdf.</p> <p>RES-E and HE-CHP may only be disclosed to Danish consumers if they are tracked by GO.</p>	<p>Same rules as for RES GOs.</p> <p>Regarding RECS-only certificates (i.e. not GO) issued in other countries for (e.g.) nuclear power, no expiry regulation is in place: instead, the production year and the consumption year should be the same.</p>
EE	Estonia	<i>Competent body is not an AIB member</i>	<i>Not applicable</i>
ES	Spain	<i>Competent body is not an AIB member</i>	The Spanish registry has no requirement for expiry for either GO or RECS. However, GCC (the issuer of RECS

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			certificates) is considering introducing such a requirement and is discussing this with its account holders. GCC considers that expiry should be no earlier than the end of the calendar year following the end date of the production period, as there are often requests for trades of annual blocks. For example, 1 January 2012 certificates would be valid until 31 December 2013; while 31 December 2012 certificates would similarly expire on 31 December 2013.
FI	Finland	In Finland, no expiry is taking place before the new law. GOs are still handled based on the old law, which neglects expiry: http://www.finlex.fi/fi/laki/ajantasa/2003/20031129 (Only in Finnish). The new legislation will set expiry 12 months after the end of the production period for which the GO was issued: http://www.tem.fi/files/30838/HE_MKi_14.9.2011.pdf (the draft of the new law, in Finnish)	In Finland, RECS certificates do not expire
FR	France	<i>Competent body is not an AIB member</i>	France ceased issuing RECS certificates from 1 st April 2012, and does not expire RECS certificates
GB	United Kingdom	<i>Competent body is not an AIB member</i>	<i>Not applicable</i>
GR	Greece	<i>Competent body is not an AIB member</i>	<i>Not applicable</i>
HU	Hungary	<i>Competent body is not an AIB member</i>	<i>Not applicable</i>
IE	Ireland	<i>Competent body is not an AIB member</i>	<i>Not applicable</i>
IS	Iceland	In Iceland, the law says expiry occurs 12 months after the end of the production period.	Same rules as for GOs
IT	Italy	<i>Competent body does not issue EECS RES GOs</i>	Currently, there is no expiry date associated with RECS certificates. However, the publication of the decree relating to renewable source electricity has stimulated a review of the procedures for guarantees of origin, fuel mix disclosure and green offers. While this decree does <u>not</u> regulate the RECS certificate system, within the Italian Domain the

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			<p>harmonisation of the two systems (RES GO and RECS) is under assessment, and so in autumn 2012 GSE will announce revised rules for the management and effectiveness of the RECS system.</p> <p>The revised rules will introduce a time limit for the use of certificates, such that RECS certificates issued in yearⁿ may be used by 31st March of yearⁿ⁺¹; and RECS certificates that were issued prior to 1st January 2012 and have yet to be cancelled or withdrawn may be exchanged and cancelled until 31st March 2013.</p>
LT	Lithuania	<i>Competent body is not an AIB member</i>	<i>Not applicable</i>
LU	Luxembourg	There is currently no expiry rule relating to RES GOs themselves (Directive 2009/28 is still being transposed). However, in order to be able to use a certificate for disclosure purposes, it must be cancelled by 15 th May of the year following the period of production.	There is currently no expiry rule relating to RECS certificates
LV	Latvia	<i>Competent body is not an AIB member</i>	<i>Not applicable</i>
MT	Malta	<i>Competent body is not an AIB member</i>	<i>Not applicable</i>
NL	Netherlands	<p>GOs can be cancelled until a year after the last day of production of the associated energy. When left unused, they will not expire until a year after the day on which a GO was issued. This usually leaves a period of time where certificates can no longer be cancelled, but can be traded (to other registries, for example).</p> <p>These regulations may be found in the "<i>Regeling garanties van oorsprong voor duurzame elektriciteit</i>":</p> <ul style="list-style-type: none"> • cancellation up to one year after production: article 6, sub 3; • expiry one year after issuance: article 6, sub 4b. <p>Unfortunately, there are no English translations available for this document. A Dutch copy may be found on the CertiQ website at:</p>	Similar to EECS GO (one year after issue).

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		http://www.certig.nl/binaries/content/assets/certiqonline/wet-en-regelgeving/duurzame-energie/regeling-garanties-van-oorsprong.pdf .	
NO	Norway	Expiry takes place 12 months after the end of the production period: any cancellation or transfer of the certificate must take place before this date. This is regulated in FOR-2007-12-14-1652, §9; http://www.lovddata.no/for/sf/oe/xe-20071214-1652.html	Same rules as for GOs
PL	Poland	<i>Competent body is not an AIB member</i>	<i>Not applicable</i>
PT	Portugal	<i>Competent body is not an AIB member</i>	Portugal does not expire RECS certificates
RO	Romania	<i>Competent body is not an AIB member</i>	<i>Not applicable</i>
SE	Sweden	In Sweden the expiry takes place 12 months after the end of the production period: http://www.ei.se/Documents/Publikationer/rapporter_och_p_m/Rapporter%202011/Ursprungsmarkning_av_el_%20EIR_2011_10.pdf (the regulation of the energy market inspectorate for disclosure. Only in Swedish)	Same rules as for RES GOs
SI	Slovenia	Guarantees of Origin expire 12 months after the last day of production. The references are: <ul style="list-style-type: none"> • Article 64.g of the Energy Act, the Official Gazette of the Republic of Slovenia, No. 27/07 (EZ-UPB2), 70/08 (EZ-C), 22/10 (EZ-D), 10/12 (EZ-E) • Article 22 of the Regulation on issuing of the Declarations for the production units and of the Guaranties of Origin, the Official Gazette of the Republic of Slovenia, No. 8/09, 45/12 	Same rules as for RES GOs.
SK	Slovakia	<i>Competent body is not an AIB member</i>	<i>Not applicable</i>