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RRM
2024

Valuing
consumer
action

FULL DISCLOSURE – Catalyst for change: The legal basis for full disclosure in Europe (RED II and RED III) and its implementation in the Netherlands

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Manuela Rodriguez
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About me

- 10+ years of experience in senior legal positions
- Focus on commercial matters and developing regulatory landscape shaping the renewable energy market
- Lecturer of European Private Law at University of Amsterdam

01

**Full Disclosure –
catalyst for change**

02

**EU legislative scope –
RED II & RED III**

03

**Full Disclosure in the
Netherlands**

- Legal Basis
- Aim
- How
- Result

04

**Outlook & drivers for
consumer demand**

05

Closing remark

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FULL DISCLOSURE catalyst for change

The creation of the fifth sun



Full Disclosure – current EU legislative scope

Renewable Energy Directive (RED) III

Basis for RED III

Renewables will have to make up 42.5% (revised target from 32%) of the EU's energy consumption by 2030, with the **aim of achieving 45%**

Faster approval procedure
for deploying renewables

Target for innovative renewable energy technology of **at least 5%**

Full Disclosure – current EU legislative scope

Art. 19.1

Member States shall ensure that the origin of energy produced from renewable sources can be guaranteed as such within the meaning of this Directive.



Art. 19.2

Member States may arrange for GoOs to be issued for non-renewable energy sources.



Art. 19.8

Where Member States have arranged to have GoOs for other types of energy, suppliers shall always use for disclosure the same type of guarantees of origin as the energy supplied.



Implementation

This is sufficient legal basis to support the adoption of full consumption disclosure of electricity through certificates of origin in all of the EU Member States on a voluntary basis.

Full Disclosure in the Netherlands

LEGAL BASIS

EU level:

Art. 19 RED (III)

National level:

Regulation of the Minister of Economic Affairs and Climate of 25 June 2019, in force as of January 2020.

AIM

Full Transparency and Freedom of Choice

HOW

Full-disclosure for consumption of renewable energy (GoOs) and energy from fossil sources via Certificate of Origin (CoO).

RESULT

Better and more informed choices: certain sources of energy can be excluded and stimulate more focus on renewable sources of energy.

Outlook & drivers for (corporate) consumer demand



Corporate Sustainability
Reporting Directive



EU ban on
greenwashing



Green claims directive



Discussion

Since the directives on reporting and banning greenwashing and green claims are not voluntary and will be implemented across EU – **will they drive demand for full transparency of energy markets from consumers?**

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Thank you!

