

THE NEW RED

Briefing on the transposition of the Renewable Energy Directive

RED TIMELINE

Renewable Energy Directive (RED) III/IV



21 NOVEMBER 2023
ENTRY INTO FORCE



1 JULY 2024

FIRST TRANSPOSITION DEADLINE

RED reforms to the **permit-granting procedures** for renewables:

- Designation of areas for grid and storage (art. 15e)
- Main permitting principles (art. 16)
- Permitting criteria for projects outside RAAs (art. 16b)
- Permitting criteria for repowering, solar, and heat pumps (art. 16c, 16d, 16e)
- Presumption of overriding public interest (IROPI) for renewable energy projects (art. 16f)



21 MAY 2025

OVERALL TRANSPOSITION DEADLINE

The **rest of the RED** must be enforced across Member States:

- RED III elements
- Mapping of areas and renewable energy needs (art. 15b)

21 FEBRUARY 2026

RENEWABLES ACCELERATION AREAS (RAA'S) DESIGNATION DEADLINE

Member States must adopt:

- One or more plans designating renewables acceleration Areas (RAAs) for one or more renewable energy technologies (art. 15c)
- Permitting criteria for projects inside RAAs (art. 16a)

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The revised Renewable Energy Directive (also known as RED III/IV) was formally adopted by EU member states on 9 October, after the European Parliament's plenary session on 12 September approved the final text. Following its publication in the Official Journal of the European Union on 31 October, the RED will enter into force on 21 November. The following are the transposition deadlines that EU Member States must meet:

1. First key deadline - by 1 July 2024:

Member States must transpose specific permit-granting procedural reforms in their national legislation and, where relevant, in their National Energy and Climate Plans (NECPs). The main elements are listed below.

Member States must also have made changes to reflect the planning, construction, and operation of renewable energy plants as in the 'overriding public interest'.

Article 16: Organisation and main principles of the permit-granting procedure

- Criteria for permitting process duration and validity of applications.
- Streamlining of administrative processes.
- Designation of single contact points.
- Provision of adequate resources to competent authorities.
- Public availability of decisions.
- Digitalisation of permit-granting procedures (by 21 November 2024).

Article 16b: Permit-granting outside RAAs

- Permitting timelines: <2 years, <3 years for offshore, <1 year for repowering, <2 years for offshore repowering.
- All relevant environmental assessments for a renewables project to be rolled into one single procedure.
- The killing or disturbance of species protected under the Birds & Habitats Directives will not be considered 'deliberate' where a project has followed all necessary mitigation measures.

Article 16c: Permit-granting for repowering

- Permitting timelines: <3 months for grid connections.
- Screening limited to extension of existing projects.
- Exemptions available from screening and environmental assessments when no extra space is required.

Article 16d: Permit-granting for solar installations on artificial structures

- Permitting timelines: <3 months with exemptions, and <1 month for solar equipment with capacity of 100 kW or less.
- Exemptions available from screening and environmental assessments.

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Article 16e: Permit-granting procedure for heat pumps

- Permitting timelines: <1 month above 50 MW, <3 months for ground source heat pumps, <2 weeks for connections to the grid for lower capacity MW/self-consumers).

Article 16f: Presumption of overriding public interest (OPI)

- Permitting, planning, construction and operation of renewable energy plants must be presumed to be in the overriding public interest for reasons of public health and safety.

2. Second key deadline - by 21 May 2025:

This overall transposition deadline applies to all elements of RED III (i.e. articles related to the Fit for 55 RED proposal). In addition, Article 15b on the mapping of areas and renewable energy needs must also be transposed by the same 18-month deadline.

Article 15b: Mapping of areas necessary for national contributions towards 2030 target

- Mapping to identify domestic potential for renewables deployment: availability of land, sea, inland water areas, etc.
- Taking into account: the potential for renewable energy production; the projected energy demand; the availability of current infrastructure and the potential for upgrading and extending it.
- Favouring multiple uses of the areas, and ensuring compatibility of renewable energy development with pre-existing uses.

3. Third key deadline - by 21 February 2026:

This 27-month deadline concerns the adoption of plans designating RAAs.

Article 15c: Renewables acceleration areas

- One or more RAAs for one or more types of renewable energy sources must be designated by the competent authorities of EU member states.
- Criteria: prioritisation of artificial surfaces, degraded sites, transport infrastructure; exclusion of protected natural areas, major migratory routes.
- Rules on effective mitigation measures to avoid adverse environmental impacts must be established.
- Plans must be subject to a Strategic Environmental Assessment (SEA) and, where applicable, to an appropriate assessment under the Habitats Directive.
- Plans must respect public participation requirements.



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