

Flemish Government Decree amending various provisions on energy and climate

Legal basis

This Decree is based on:

- the Special Law of 8 August 1980 on the reform of the institutions, Article 20, as amended by the Special Law of 16 July 1993;
- Article 1 of the Air Pollution Control Act of 28 December 1964;
- the Decree of 5 April 1995 laying down general provisions on environmental policy, Article 8.2.1, Section 2, inserted by the Decree of 14 February 2014, and Article 8.2.2 point 5, inserted by the Decree of 14 February 2014;
- the Energy Decree of 8 May 2009, Article 4.1.17/5, Section 3, paragraph 2, inserted by the Decree of 2 April 2021 and amended by the Decree of 19 April 2024, Article 4.1.22, paragraph 1, point 4, and paragraph 2, as amended by the Decrees of 8 July 2011 and amended by the Decree of 19 April 2024, Article 4.1.22/2, inserted by the Decree of 8 July 2011, replaced by the Decree of 26 April 2019 and amended by the Decrees of 7 May 2021 and 4 June 2021, Article 4.1.22/5, paragraph 3 inserted by the Decree of 26 April 2019, Article 4.3.2, points 2 and 4, Article 7.5.1, paragraph 1, as last amended by the Decree of 19 April 2024, Article 8.2.1, Article 8.3.1, Article 8.4.1, amended by the Decree of 20 December 2013, Article 8.7.1, paragraph 1, amended by the Decree of 4 June 2021, Article 8.8.1, inserted by the Decree of 23 December 2022 and amended by the Decree of 10 November 2023, Article 9.1.2, paragraph 1, inserted by the Decree of 16 November 2018 and amended by the Decrees of 2 April 2021, 6 May 2022 and 23 December 2022, Article 10.1.2, amended by the Decree of 14 March 2014, Article 10.1.3, Section 1, paragraph 1, amended by the Decrees of 14 March 2014, 17 February 2017, 16 November 2018 and 18 March 2022, Article 10.1.4, paragraphs 1 and 2, inserted by the Decree of 18 November 2011 and amended by the Decrees of 14 March 2014 and 17 February 2017, Article 10.1.6, Article 11.1.1, Section 1, paragraph 1, amended by the Decrees of 18 November 2011, 14 March 2014, 25 April 2014 and 17 February 2017; Article 11.1.4, last amended by the Decree of 18 March 2022; Article 11.1.5, paragraphs 1 and 3, amended by the Decrees of 18 November 2011 and 17 February 2017; Article 11.1.6, inserted by the Decree of 16 November 2018; Article 11.1/1.2, paragraphs 5 and 6 inserted by the Decree of 30 October 2020 and amended by the Decree of 27 February 2026, Article 11.2.1, Section 1, paragraph 1, amended by the Decree of 14 March 2014, 17 February 2017 and 18 March 2022, Article 11.2/2.1, Section 1, paragraph 1, inserted by the Decree of 30 October 2020 and amended by the Decrees of 17 December 2021, 18 March 2022, 23 December 2022 and 10 November 2023, Article 13.4.7/1, paragraphs 2 and 4, inserted by the Decree of 18 November 2011 and amended by the Decrees of 21 December 2012, 14 March 2014, 17 February 2017 and 4 December 2020, and Article 14.2.2, Section 2, paragraph 2, inserted by the Decree of 19 December 2014;
- the Decree of 29 March 2024 on the transport of carbon dioxide via pipelines in the Flemish Region, Article 19, Section 3, paragraph 2; Article 21, Section 3,

paragraph 1, and Section 5, paragraph 3; Article 22, paragraph 2; Article 39, Section 3; Article 41, Section 3, paragraph 1, and Section 5, paragraph 3; Article 42, paragraph 2; Article 62, paragraph 2, as amended by the Decree of 19 April 2024; Article 69, Section 1, paragraph 2, as amended by the Decree of 19 April 2024, and Article 70, Section 1, paragraph 2, as amended by the Decree of 19 April 2024;

- the Decree of 27 February 2026 laying down various provisions on energy and climate, Article 75, paragraph 3.

Procedural requirements

The following formal requirements have been met:

- The Inspectorate of Finance issued its opinion on 12 January 2026.
- The Flemish Minister responsible for budgetary policy gave his agreement on 13 February 2026.
- This draft was notified to the European Commission with Notification No 2026/0089/B on 23 February 2026, pursuant to Article 5 of Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 regarding a procedure for the provision of information in the field of technical regulations and of rules regarding Information Society services.
- The Flemish Utility Regulator issued its opinion on 19 March 2026.
- The Flemish Supervisory Commission for the Processing of Personal Data issued its opinion on 20 March 2026.
- Pursuant to Article 84, Section 1, paragraph 1, point 2 of the Council of State Acts, coordinated on 12 January 1973, the Council of State issued Opinion 79.195/1 on 8 May 2026.

Initiator

This Decree is proposed by the Flemish Minister for Housing, Energy and Climate, Tourism and Youth.

After deliberations,

THE FLEMISH GOVERNMENT HEREBY DECREES THE FOLLOWING:

Chapter 1. General provisions

Article 1. This Decree provides for the partial transposition of Article 1 of Directive (EU) 2018/844 of the European Parliament and of the Council of 30 May 2018, which replaces Articles 14 and 15 of Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 and Article 13, paragraphs 9 and 10 of Directive (EU) 2024/1275 of the European Parliament and of the Council of 24 April 2024.

Chapter 2. Amendments to the Flemish Government Decree of 1 June 1995 laying down general and sectoral provisions on environmental health

Article 2. In Article 4.10.1.5, Section 2b of the Flemish Government Decree of 1 June 1995 laying down general and sectoral environmental hygiene provisions, as inserted by the Flemish Government Decree of 3 May 2024, the following amendments are introduced:

1° A new paragraph is inserted between paragraphs 1 and 2, which reads as follows:

‘If no proof of sustainability, as referred to in the first paragraph, can be provided, the following supporting documents may be submitted for each consignment of biomass used in a GHG installation from 1 January 2026 to 31 December 2026 inclusive, and for which proof of sustainability is required for the first time:

- 1° demonstrating that the operator has done everything reasonably possible to obtain, as quickly as possible, the proof of sustainability referred to in the first paragraph, and setting out the reasons why it was not reasonably possible to obtain such proof;
- 2° demonstrate why the operator has failed to develop reasonable alternatives to access other biomass sources for which proof of sustainability could have been obtained;
- 3° demonstrating that the biomass meets the criteria referred to in Article 38, paragraph 5 of the Commission Implementing Regulation (EU) 2018/2066 of 19 December 2018 on the monitoring and reporting of greenhouse gas emissions pursuant to Directive 2003/87/EC of the European Parliament and of the Council and amending Commission Regulation (EU) No 601/2012.’;

2° in the existing second paragraph, which shall become the third paragraph, the phrase ‘, referred to in the first or second paragraph,’ shall be inserted between the word ‘evidence’ and the word ‘is’.

Article 3. In Annex 1 to the same Decree, inserted by the Flemish Government Decree of 27 November 2015 and last amended by the Flemish Government Decree of 8 December 2023, in paragraph 3 of the introductory text under the heading ‘Explanation of the symbols used in columns 4 to 8’, column 4 ‘comments’, a sentence is added, which reads as follows:

‘Compliance with these criteria is demonstrated by a sustainability certificate as referred to in Article 4.10.1.5, Section 2b, first paragraph, or, for biomass used from 1 January 2026 to 31 December 2026 inclusive, as referred to in Article 4.10.1.5, Section 2b, paragraph 2.’.

Chapter 3. Amendments of the Energy Decree of 19 November 2010

Article 4. The following amendments shall be made to Article 1.1.1, Section 2 of the Energy Decree of 19 November 2010, last amended by the Flemish Government Decree of 12 December 2025:

1° point 72/1/1 is deleted;

2° point 104 is deleted.

Article 5. In Article 3.1.34/3 of the same Decree, inserted by the Flemish Government Decree of 20 May 2022 and amended by the Flemish Government Decree of 12 December 2025, paragraph 3 shall be replaced by the following:

‘Notwithstanding the first paragraph, grid users connected to the low-voltage network, as referred to in Article 3.1.34/1, paragraph 1, point 3, shall, in the event of the application of reserved technical flexibility, receive at least a compensation, the amount of which is determined annually by the electricity distribution system operator by 31 October, taking into account the following factors:

1° the average price of electricity for consumption and feed-in, and a generation loss of 34 kWh/kVA of the known inverter capacity:

a) a loss of self-consumption of 12 kWh/kVA with a purchase price determined on the basis of the average purchase price of the past 12 months, calculated from October of the previous year to September of the year of payment of the compensation, is assumed, based on the average purchase price for that period of a family with a consumption of 3,500 kWh as published by the Flemish Utility Regulator;

b) a loss of injection of 22 kWh/kVA with a feed-in fee determined on the basis of the average feed-in fee for the past 12 months, calculated from October of the previous year to September of the year that the compensation is paid, this being based on the feed-in fee for that period for a dwelling with a single meter as published by the Flemish Utility Regulator;

2° the value of the lost green energy certificates; this is based on a loss of generation of 34 kWh/kVA, calculated in accordance with the value of green energy certificates as set out in Article 7.1.6 of the Energy Decree of 8 May 2009;

3° the power of the local production plant.

The electricity distribution system operator publishes the method of calculation and the amount of that compensation on its website each year and pays that compensation by 30 November each year. The right to compensation commences from the time of the notification referred to in Article 3.1.34/1, paragraph 1, point 3, and continues for as long as the low-voltage grid user is affected by local congestion.’.

Article 6. The following amendments shall be made to Article 3.1.52, Section 1, paragraph 10 of the same Decree, inserted by the Flemish Government Decree of 17 May 2019 and amended by the Decree of 17 July 2020:

1° the phrase ‘, the distribution system operator may postpone the installation and fit an AMR meter until such time as the technical impossibility or economic unfeasibility has been resolved either through a new tender for the digital meter, in which the distribution system operator will take these situations into account, or through physical measures taken by the network user, whichever comes first.’ is replaced by the phrase ‘the distribution system operator shall install an AMR meter’.

2° the sentence ‘In any case, the installation of a digital meter shall take place before 1 July 2029’ is deleted.

Article 7. In Article 3.2.18, paragraph 1, point 20 of the same Decree, inserted by the Flemish Government Decree of 3 May 2024 and amended by the Flemish Government Decree of 21 June 2024, the words ‘or as supplier of last resort’ shall be deleted.

Article 8. The words ‘or for household customers who heat their homes using a heat pump’ shall be added to the heading of Title V, Chapter III, Section II, Subsection II, of the same Decree, as inserted by the Flemish Government Decree of 19 October 2022.

Article 9. In Article 5.3.6/1 of the same Decree, inserted by the Flemish Government Decree of 19 October 2022 and amended by the Flemish Government Decree of 12 December 2025, the words ‘or for household customers heating with a heat pump’ are inserted between the word ‘night rate’ and the phrase ‘, the OCMW’. .

Article 10. In Article 5.3.6/2 of the same Decree, inserted by the Flemish Government Decree of 19 October 2022 and amended pursuant to the Flemish Government Decree of 12 December 2025, the following amendments shall be made:

1° between paragraphs 2 and 3, two paragraphs are inserted, which read as follows:

‘On the basis of the social assessment referred to in paragraph 2, the OCMW determines whether the household is eligible for the off-peak night-time rate or whether the home is heated by a heat pump.

A household customer heating the dwelling with a hybrid heat pump is explicitly excluded from the minimum supply of electricity. A household customer using a hybrid heat pump may make use of the minimum natural gas supply, in accordance with Article 5.4.7.’;

2° paragraph 3, which becomes paragraph 5, is replaced by the following:

‘If there is a real problem of energy poverty, as mentioned in paragraph 2, the OCMW may determine, on the basis of a table established by the Minister, the cost of the amount of electricity that the household customer with the exclusive night rate needs every fourteen calendar days to have minimum heating of the dwelling until the end of the period from 1 November to 31 March. The Minister shall establish a second table to determine the cost of the amount of electricity that the household customer using a heat pump needs every fourteen calendar days to have minimum heating of the dwelling until the end of the period from 1 November to 31 March.’.

Article 11. In Article 5.3.6/4 of the same Decree, inserted by the Flemish Government Decree of 19 October 2022 and amended by the Flemish Government Decree of 12 December 2025, paragraph 3 is deleted.

Article 12. In Article 5.3.6/5 of the same Decree, inserted by the Flemish Government Decree of 19 October 2022 and amended by the Flemish Government Decree of 12 December 2025, paragraph 3 is deleted.

Article 13. In Article 5.4.9 of the same Decree, as amended by the Flemish Government Decrees of 19 October 2022 and 12 December 2025, paragraph 3 is deleted.

Article 14. In Article 5.4.10 of the same Decree, as amended by the Flemish Government Decrees of 29 November 2013, 15 July 2016, 19 October 2022 and 12 December 2025, paragraph 3 is deleted.

Article 15. In Article 5.6.3 of the same Decree, inserted by the Flemish Government Decree of 4 February 2022 and replaced pursuant to the Flemish Government Decree of 21 June 2024, the following amendments shall be made:

1° in paragraph 1, the phrase ‘and a link and, if the means of communication allows it, a QR code, as mentioned in Article 3.2.18, paragraph 1, point 20, shall be included in this communication.’ shall be inserted between the word ‘distribution network operator’ and the word ‘thereby’;

2° In paragraph 2, the word ‘six’ is replaced by the word ‘three’.

Article 16. In Article 5.7.1, paragraph 1, point 1, (o), of the same Decree, inserted by the Flemish Government Decree of 4 February 2022, the words ‘professional debt collection agency’ are replaced by the phrase ‘an undertaking which, on behalf of the supplier, will recover unpaid debts by amicable means or which, in return for payment, will recover assigned claims by amicable means, within the framework of the application of Article XIX.20, Section 1 of the Code of Economic Law’.

Article 17. Article 6.4.1/2 of the same Decree, inserted by the Flemish Government Decree of 4 February 2022 and last amended by the Flemish Government Decree of 12 December 2025, is amended as follows:

1° section 1 is deleted;

2° section 2 is deleted;

3° section 4 is deleted;

4° in Section 5, paragraph 1, the sentence ‘The allowance referred to in Section 1 shall always be limited to a maximum of 40% of the eligible investment costs, excluding VAT.’ is deleted;

5° in Section 5, paragraph 1, the phrase ‘2,’ is deleted;

6° in Section 5, paragraph 1, the phrase ‘and 4,’ is deleted;

7° in Section 5, the paragraph 2 up to and including the third paragraph are deleted;

8° in Section 6, the phrase '1, 2' is deleted;

9° in Section 6, the phrase 'and 4' is deleted.

Article 18. In Article 6.4.1/6, Section 5, paragraph 1, of the same Decree, inserted by the Flemish Government Decree of 4 February 2022, the phrase '6.4.1/5/2, Section 1,' is replaced by the phrase '6.4.1/5/1,'.

Art 19. In Article 6.4.1/6/3 of the same Decree, inserted by the Flemish Government Decree of 16 June 2023 and amended by the Flemish Government Decrees of 4 March 2025 and 12 December 2025, the following amendments shall be made:

1° paragraph 2 shall be replaced with the following:

'In order to qualify for the allowances referred to in Article 6.4.1/8, the recipient's income shall not exceed:

1° EUR 29,220 for a single person;

2° EUR 43,820 for a single person with one dependant, to be increased by EUR 4,320 for each additional dependant;

3° EUR 43,820 for other persons, to be increased by EUR 4,320 per dependant.';

2° paragraph 3 is replaced with the following:

'The amounts referred to in the paragraph 2 shall be linked to the health index figure referred to in Article 5.187, paragraphs 5 and 6, of the 2021 Flemish Housing Code Decree.';

3° paragraph 4 is deleted.

Article 20. Article 6.4.1/8 of the same Decree, inserted by the Flemish Government Decree of 23 September 2011 and last amended by the Flemish Government Decree of 12 December 2025, is amended as follows:

1° in paragraph 2, point 3, the words 'or the CAW' shall be inserted between the words 'the OCMW' and the words 'the assessment';

2° a point 4 is added to paragraph 2, reading as follows:

'a customer living in a dwelling or residential building of a housing association.'

3° a point 5 is added to paragraph 2, reading as follows:

‘a tenant whose income, calculated in accordance with Article 5.186, paragraph 1, points 6 and 7, paragraphs 2, 3, and 4, and Article 5.187, paragraph 1, of the 2021 Flemish Housing Code Decree, does not exceed the limits referred to in Article 5.187, paragraph 2, point 3, of the aforementioned Decree, for whom an energy consultancy assesses that an energy scan may be relevant.’

4° in paragraph 7, the sentence ‘Housing associations are only eligible for guidance on the implementation of energy-saving investments for rental purposes as per Article 4.40, point 4, of the Flemish Housing Code 2021.’;

5° in paragraph 8, the words ‘paragraph 1 and the’ shall be inserted between the words ‘mentioned in the’ and the words ‘paragraph 2’;

6° in paragraph 10, the phrase ‘telephone number, email address, date and type of any earlier energy scans, category of customer, tenant or owner.’ shall be replaced with the phrase ‘telephone number and email address’;

7° paragraphs 11, 12 and 13 are added, which read as follows:

‘The distribution system operator or its operating company shall provide the energy audit contractor with a list of data at least once a week. The provision of such data relates to customers who meet the conditions set out in paragraph 1, within the area of operation of the energy scan provider, and shall include, at most, the following details about the customers: name, address, telephone number and email address.

At the request of the energy scan provider, the distribution system operator or its operating company shall provide the EAN code corresponding to the customer’s address referred to in paragraphs 1 and 2, within the energy scan provider’s area of operation and for which they have received a request for an energy scan. If the customer has a digital meter, the distribution system operator or its operating company shall also provide, at the request of the operator of energy scans, at most the following data, provided that they are available: the electricity and natural gas consumption of up to the past three years, information on the meter reading, the average monthly peak of the capacity rate and the type of electricity meter. This data will only be provided once the customer has given their consent for the energy scan to be carried out.’

Article 21. In Article 7.2.22, Section 1, of the same Decree, inserted by the Flemish Government Decree of 17 May 2019, and amended by the Flemish Government Decrees of 16 July 2021, 8 July 2022 and 16 June 2023 and the Flemish Government Decree of 3 May 2024, the following amendments are made:

1° in the first paragraph, the following sentence is inserted between the phrase ‘Annex 4 to the 2021 Flemish Housing Code Decree’ and the words ‘The OCMW’:

'If the requirements regarding safety, health and housing quality were not met, the VEKA may recover the aid or part of it.';

2° The following sentence is added to the third paragraph:

'If the renovation works on an emergency owner-occupied dwelling have started within the previous period, drawings on the credit line may still be made for that emergency owner-occupied dwelling until the renovation of this emergency owner-occupied dwelling has been completed up to two years after the previous period has expired.'.

Article 22. In Article 7.4.1 of the same Decree, replaced by the Flemish Government Decree of 2 July 2021, the following amendments shall be made:

1° in Section 1, point 3 of the second paragraph is deleted;

2° in Section 1, the eighth paragraph is replaced with the following:

'The Minister shall determine annually the size of the appropriation available to finance the grant applications on the basis of the available appropriations in the expenditure budget and, where appropriate, the available resources in the Energy Fund. The decision is adopted by ministerial decree and published in the Belgian Official Gazette. If the available appropriations are adjusted, the Minister may review the maximum amount, after justification and publication.';

3° in Section 7, paragraph 5, point 2, the phrase 'as laid down in European Directive 2003/87/EC, or is not covered by the European emissions trading scheme pursuant to Annex I, point 1 of this Directive;' shall be added;

4° in Section 7, paragraph 5, point 3 is deleted.

Article 23. In Article 7.4.2, Section 1, paragraph 5 of the same Decree, as amended by the Flemish Government Decree of 2 July 2021, the words 'paragraph 1' are replaced by the words 'paragraph 5'.

Article 24. In Article 7.4.3 of the same Decree, inserted by the Flemish Government Decree of 13 September 2013, replaced by the Flemish Government Decree of 2 July 2021 and amended by the Flemish Government Decree of 12 December 2025, the following amendments are made:

1° in Section 3, the paragraph 8 is replaced with the following:

'Investments eligible for support under the Flemish Government Decree of 19 April 2024 on the granting of aid to undertakings for environmental expenditure and the implementing provisions of that Decree are not eligible for the aid provided for in Article 7.4.1, Section 1.';

2° In Section 4, paragraph 1, point 3, the words 'a project involving' shall be inserted between the words 'notwithstanding this, for' and the words 'an energy-efficient district heating system'.

Article 25. In Article 7.4.4 of the same Decree, inserted by the Flemish Government Decree of 13 September 2013, replaced by the Flemish Government Decree of 2 July 2021 and amended by the Flemish Government Decree of 12 December 2025, the following amendments are made:

1° in Section 1, paragraph 1, the phrase ‘, the date of putting into operation’ is deleted;

2° in Section 1, paragraph 1, the sentence ‘The inspection report shall be drawn up by the accredited inspection body within the time limit specified in Article 7.4.3, Section 4, paragraph 1, point 3, or paragraph 2, and shall be submitted to the VEKA by the applicant within sixty days of its drawing up.’ shall be replaced by the sentence ‘The date of putting into operation is the date of the inspection.’.

3° a second paragraph 2 shall be added to Section 4, reading as follows:

‘In the case of recovery referred to in paragraph 1, the amount to be repaid shall be increased by the European reference rate in accordance with Regulation (EC) No 794/2004. Such interest shall be calculated from the date of payment of the aid referred to in Section 3, paragraph 1, up to and including the date on which the aid is recovered.’

4° a point 4 is added to Section 5, paragraph 3, reading as follows:

‘point 4 all changes with respect to the VEKA’s decision in principle.’

5° in Section 5, paragraph 4, the phrase ‘in paragraph 3, point 2’ is replaced with the phrase ‘in paragraph 3, points 2 and 4’.

Article 26. Article 7.9.1, Section 1, of the same Decree, inserted by the Flemish Government Decree of 19 May 2017 and last amended by the Flemish Government Decree of 20 October 2023, is amended as follows:

1° in paragraph 2, the words ‘the report of the municipal council and the OCMW council’ are replaced by the words ‘the report of the municipal council’;

2° in paragraph 2, the sentence ‘Amendments to the territorial functioning of an energy house may only enter into force on 1 January’ is replaced by the sentence ‘Cooperation agreements with new energy houses or amendments to the territorial functioning of an energy house may only enter into force on 1 January’;

3° in paragraph 4, the sentence ‘Proof of the recognition of the competent services shall be submitted to the VEKA at least three months before the envisaged date of entry into force of the cooperation agreement’ is replaced by the sentence ‘Proof of the expertise and of the recognition of the competent services shall be submitted to the VEKA no later than 1 July of the calendar year preceding the entry into force of the cooperation agreement’.

Article 27. In Article 7.10.1., Section 5 of the same Decree, inserted by the Decree of 15 December 2017 and amended by the Flemish Government Decree of 3 May 2024, the phrase ‘and fixes annually the available budget’ is added.

Article 28. In Article 7.19.1 to the same Decree, inserted by the Decree of 02 December 2022, the following amendments shall be made:

- 1° in Section 2, the year ‘2023’ is replaced by the year ‘2025’;
- 2° in Section 2, the year ‘2025’ is replaced by the year ‘2028’;
- 3° in Section 2, the phrase ‘EUR 3,000’ is replaced by the phrase ‘EUR 2,000’.
- 4° in Section 2, the phrase ‘For allowance applications with a final invoice between 1 January 2025 and 31 December 2025 inclusive, the allowance referred to in paragraph 1 shall be EUR 2,000.’ is deleted.
- 5° in Section 3, paragraph 2, the year ‘2023’ is replaced by the year ‘2025’;
- 6° in Section 3, paragraph 2, the year ‘2024’ is replaced by the year ‘2028’;
- 7° in Section 3, paragraph 2, the phrase ‘EUR 3,000’ is replaced by the phrase ‘EUR 2,000’.
- 8° In Section 3, paragraph 2, the phrase ‘For allowance applications with a final invoice dated between 1 January 2025 and 31 December 2025 inclusive, the allowance amounts to EUR 2,000’ is deleted.

9° in Section 3, in the table, the row

,

Final invoice in 2023-2024	2 to 10 building units		EUR 3,000 + EUR 1,500 * (number of building units - 1)
	11 to 30 building units		EUR 16,500 + EUR 900 * (number of building units - 10)
	More than 30 building units		EUR 34,500 + EUR 400 * (number of building units - 30) with a maximum of EUR 47,000

' is deleted.

10° in Section 3, in the table, the row

‘Final invoice in 2025’

is replaced by the line

‘Final invoice in 2025, 2026, 2027 or 2028’;

11° in Section 4, paragraph 3, the words ‘budget for the calendar year in question’ are replaced by the phrase ‘funds available for that calendar year to finance grant applications,’;

12° in Section 4, a paragraph is inserted between paragraphs 3 and 4, reading as follows:

‘The Minister shall determine annually the size of the appropriation available to finance the grant applications on the basis of the available appropriations in the expenditure budget and, where appropriate, the available resources in the Energy Fund. The decision is adopted by ministerial decree and published in the Belgian Official Gazette. ‘If the available appropriations are adjusted, the Minister may revise the maximum amount, provided that reasons are given and the decision is published.’.

Article 29. In Article 8.1.1/3, paragraph 1 of the same Decree, inserted by the Flemish Government Decree of 22 December 2023 and amended by the Flemish Government Decrees of 3 May 2024 and 12 December 2025, the sentences ‘The next five-year period shall not start until the previous five-year period has expired, provided that the type A or type D energy expert passes the central examination.

If a type A or type D energy expert fails the central examination within the five-year period, the next period shall commence from the date on which the energy expert passes the central examination, as referred to in Article 8.3.1 or 8.3.2.’ replace with the following: ‘The next five-year period shall only commence after the previous five-year period has expired, provided that the type A or type D energy expert passes the central examination referred to in Article 8.3.2. For energy experts type A or type D who passed the additional examination referred to in Article 8.3.2, Section 5, paragraph 4, the next five-year period begins after the previous five-year period has ended.

If the type A or type D energy expert fails the central examination referred to in Article 8.3.2., the next five-year period shall start to run from the moment the energy expert has passed the central examination referred to in Article 8.3.1’.

Article 30. A paragraph is added to Article 8.4.1, Section 1 of the same Decree, inserted by the Flemish Government Decree of 19 July 2013 and amended by the Flemish Government Decrees of 10 July 2015, 15 July 2016 and 11 December 2020, reading as follows:

‘By way of derogation from paragraph 1, point 2, recognition as a training institution for a course that may give rise to a certificate of competence referred to in Article 8.5.1, Section 1, points 1/1 and 4, does not require that each member of the applicant’s teaching staff hold a valid and applicable certificate, provided that the application was submitted in accordance with Section 4 before 1 January 2029.’.

Article 31. In Article 8.6.4, Section 1, paragraph 2 of the same Decree, inserted by the Flemish Government Decree of 13 January 2017 and amended by the Flemish Government Decrees of 11 December 2020 and 3 May 2024, the phrase ‘then they must again meet the conditions referred to in Article 8.6.1, Section 2.’ is replaced by the phrase ‘then they must pass a central examination, referred to in Article 8.6.1, Section 2, point 3.’.

Article 32. In Article 8.8.2 of the same Decree, inserted by the Flemish Government Decree of 9 October 2020 and amended by the Flemish Government Decree of 12 December 2020, the existing text of which shall constitute Section 1, a Section 2 shall be added, reading as follows:

‘Section 2 The VEKA may suspend or withdraw the accreditation referred to in Section 1 in any of the following cases:

- 1° breaches of the regulations are identified;
- 2° the organiser of a quality framework, or its staff, fails to act impartially in the performance of their duties or is involved in a conflict of interest;
- 3° the organiser of a quality framework no longer meets the conditions for accreditation referred to in Article 8.8.1, Section 2.’

Article 33. In Article 9.1.12 of the same Decree, amended by the Flemish Government Decrees of 29 November 2013 and 10 December 2021, paragraph 2 is deleted.

Article 34. In Article 9.1.12/5 of the same Decree, inserted by the Flemish Government Decree of 27 October 2017 and amended by the Flemish Government Decrees of 9 October 2020, 10 December 2021 and 2 December 2022, the following amendments shall be made:

1° paragraph 2 is deleted;

2° in the existing paragraph 4, which becomes paragraph 3, the words ‘paragraph 3’ shall be replaced in each case by the words ‘paragraph 2’.

Article 35. In Article 9.1.17, Section 6 of the same Decree, inserted by the Flemish Government Decree of 13 January 2017, the phrase ‘, with the exception of the last paragraph of Section 12.1.1 of Annex V’ is deleted.

Article 36. In Article 09/01/2020 of the same Decree, amended by the Flemish Government Decrees of 27 November 2015 and 10 December 2021, paragraph 2 is deleted.

Article 37. In Article 9.1.22, paragraph 1 of the same Decree, as amended by the Flemish Government Decrees of 4 April 2014 and 10 December 2021, the phrase ‘, unless the building contains a care home’ is deleted.

Article 38. A third paragraph shall be added to Article 9.1.23 of the same Decree, amended by the Flemish Government Decrees of 20 May 2011, 29 November 2013, 16 May 2014 and 13 January 2017, reading as follows:

‘By way of derogation from Article 9.1.12/5, an exemption from the S-level applies to the partial reconstruction of buildings that are part of a listed historic building or a protected cultural heritage landscape, cityscape or townscape.’.

Article 39. A new paragraph shall be added to Article 9.1.24 of the same Decree, modified by the Flemish Government Decrees of 29 November 2013, 13 January 2017 and 9 October 2020, which reads as follows:

‘By way of derogation from Article 9.1.12/5, the partial reconstruction of buildings listed in the architectural heritage inventory is exempt from the S-level requirement.’.

Article 40. In Article 9.1.29/1, paragraph 2, point 3, of the same Decree, inserted by the Flemish Government Decree of 18 December 2015 and replaced by the Flemish Government Decree of 8 July 2022, the word ‘five’ shall be replaced by the word ‘six’.

Article 41. In Article 9.1.30, Section 2, second paragraph, point 2, of the same Decree, inserted by the Flemish Government Decree of 30 November 2018, the number ‘five’ is replaced by the number ‘six’.

Article 42. In Article 9.2.11, Section 4, paragraph 2, point 3, of the same Decree, inserted by the Flemish Government Decree of 2 December 2022, the number ‘five’ is replaced by the number ‘six’.

Article 43. In Article 9.3.1 of the same Decree, inserted by the Flemish Government Decree of 9 July 2021 and last amended by the Flemish Government Decree of 12 December 2025, the following amendments shall be made:

1° the words ‘notarial transfer’ shall be replaced in each instance by the phrase ‘sale, exchange, gift or contribution to a legal person’;

2° in Section 1, paragraph 2, the words ‘are transferred’ are replaced by the phrase ‘are sold, exchanged, donated or contributed to a legal entity, or where a leasehold or building right is not established or transferred in respect of all units’;

3° in Section 1, paragraph 2, the words ‘is transferred’ shall be replaced by the phrase ‘is sold, exchanged, donated or contributed to a legal entity, or where a leasehold or building right is established or transferred in respect of all units’;

4° in Section 2, paragraph 1, the word ‘transferred’ is replaced by the phrase ‘sold, exchanged, donated or contributed to a legal person’;

5° in Section 2, paragraph 2, point 1, (a), the word ‘transferred’ is replaced by the phrase ‘sold, exchanged, donated or contributed to a legal person, or in respect of which a leasehold or building right is established or transferred’;

6° in Section 2, paragraph 2, point 1, (b), the word 'transferred' is replaced by the phrase 'sold, exchanged, donated or contributed to a legal person, or where a leasehold or building right is not established or transferred in respect of all units';

7° in Section 2, paragraph 2, point 2, (a), the word 'transferred' is replaced by the phrase 'sold, exchanged, donated or contributed to a legal person, or in respect of which a leasehold or building right is established or transferred';

8° in Section 2, paragraph 2, point 2, (b), the word 'transferred' is replaced by the phrase 'sold, exchanged, donated or contributed to a legal person, or where a leasehold or building right is not established or transferred in respect of all units';

9° in Section 2, paragraph 2, point 3, (a), the word 'transferred' is replaced by the phrase 'sold, exchanged, donated or contributed to a legal person, or in respect of which a leasehold or building right is established or transferred';

10° in Section 2, paragraph 2, point 3, (b), the word 'transferred' is replaced by the phrase 'sold, exchanged, donated or contributed to a legal person, or where a leasehold or building right is not established or transferred in respect of all units';

11° in Section 2, paragraph 2, point 4, (a), the word 'transferred' is replaced by the phrase 'sold, exchanged, donated or contributed to a legal person, or in respect of which a leasehold or building right is established or transferred';

12° in Section 2, paragraph 2, point 4, (b), the word 'transferred' is replaced by the phrase 'sold, exchanged, donated or contributed to a legal person, or where a leasehold or building right is not established or transferred in respect of all units';

13° in Section 2, paragraph 2, point 5, (a), the word 'transferred' is replaced by the phrase 'sold, exchanged, donated or contributed to a legal person, or in respect of which a leasehold or building right is established or transferred';

14° in Section 2, paragraph 2, point 5, (b), the word 'transferred' is replaced by the phrase 'sold, exchanged, donated or contributed to a legal person, or where a leasehold or building right is not established or transferred in respect of all units';

15° in Section 4, the word 'transferred' is replaced by the phrase 'sold, exchanged, donated or contributed to a legal person, or in respect of which a leasehold or building right is established or transferred in its entirety'.

Article 44. In Article 9.3.2 of the same Decree, replaced by the Flemish Government Decree of 9 July 2021 and amended by the Decrees of 8 July 2022, 16 June 2023 and 12 December 2025, the words 'notarial transfer' are replaced by the phrase 'sale, exchange, gift or contribution to a legal person'.

Article 45. In Article 9.3.4 of the same Decree, inserted by the Flemish Government Decree of 8 July 2022 and amended by the Flemish Government Decrees of 16 June 2023, 3 May 2024 and 12 December 2025, the words ‘notarial transfer’ are replaced each time by the words ‘sale, exchange, donation or contribution to a legal person’.

Article 46. In Article 9.3.5 of the same Decree, inserted by the Flemish Government Decree of 8 July 2022 and amended by the Flemish Government Decrees of 2 December 2022, 16 June 2023 and 12 December 2025, the words ‘notarial transfer’ are replaced by the phrase ‘sale, exchange, gift or contribution to a legal person’.

Article 47. In Article 9.3.7 of the same Decree, inserted by the Flemish Government Decree of 8 July 2022 and amended by the Flemish Government Decree of 12 December 2025, the words ‘notarial transfer’ are replaced by the phrase ‘sale, exchange, gift or contribution to a legal person’.

Article 48. In Article 9.4.1 of the same Decree, inserted by the Decree of 12 December 2025, second to fourth paragraphs are inserted, which are worded as follows:

‘The nominal capacity of a heating or cooling system referred to in Article 11.1/1.2 of the Energy Decree of 8 May 2009 is determined as the sum of nominal thermal capacities of the generators that are hydraulically or thermally connected. The minister establishes the method of calculation of the nominal power.

The obligations referred to in Article 11.1/1.2 of the Energy Decree of 8 May 2009 are imposed on the owner or holder of the right in rem to the heating systems, combined space heating and ventilation systems, air conditioning systems or combined air conditioning and ventilation systems, respectively. In the absence of proof to the contrary, the owner or holder of the right in rem of the building is considered to be the owner of the systems.

The minister may determine requirements with which a building automation and control system must comply.’.

Article 49. In Article 11.2.1, Section 1, paragraph 2, of the same Decree, inserted by the Flemish Government Decree of 27 April 2012 and last amended by the Flemish Government Decree of 8 September 2017, the phrase ‘if, after sitting the suspension, they pass an examination organised by or on behalf of the VEKA.’ is replaced by the phrase ‘after sitting the suspension and if they pass an examination organised by or on behalf of the VEKA.’.

Article 50. In Article 11.2.6 of the same Decree, inserted by the Flemish Government Decree of 19 July 2013 and amended by the Flemish Government Decrees of 8 September 2017, 9 October 2020, 11 December 2020 and 16 June 2023, the words ‘suspend or’ shall be inserted between the phrase ‘Article 8.7.1’ and the word ‘withdraw’.

Article 51. In Article 11.2.8, paragraph 2 of the same Decree, inserted by the Flemish Government Decree of 4 April 2014 and amended by the Flemish Government Decrees of 13 January 2017, 8 September 2017 and 11 December

2020, the phrase ‘if, after sitting the suspension, they pass an examination organised by or on behalf of the VEKA’ is replaced by the phrase ‘after sitting the suspension and if they pass an examination organised by or on behalf of the VEKA’.

Article 52. In Article 12.3.19 of the same Decree, inserted by the Flemish Government Decree of 30 April 2020 and amended by the Flemish Government Decree of 10 December 2021, the following amendments shall be made:

1° in Section 1, the second and third paragraphs are deleted;

2° in Section 2, the second and third paragraphs are deleted;

3° in Section 3, the second and third paragraphs are deleted;

4° in Section 4, the second and third paragraphs are deleted.

Article 53. In Annex V to the same Decree, replaced pursuant to the Flemish Government Decree of 2 December 2022 and amended by the Flemish Government Decrees of 16 June 2023 and 3 May 2024, the following amendments shall be made:

1° in Section 12.1.1, the following sentence is added to the paragraph 3: ‘Only that part of the photovoltaic solar energy system which has not yet been allocated to another EPB unit in the current or a previous EPB declaration may be taken into account.’;

2° in Section 12.1.1., paragraph 5 is removed.

Article 54. In Annex X to the same Decree, as replaced by the Flemish Government Decree of 10 December 2021, in Table 1, between the row

,

Sports and recreation	Cinema, concert hall	1
-----------------------	----------------------	---

,

and the row

,

Work space	Photography studio, darkroom, etc.	10
------------	------------------------------------	----

,

the following row is inserted

	<i>indoor tennis court, padel court, petanque court</i>	10
--	---	----

Chapter 4. Amendments to the Flemish Government Decree of 3 July 2015 designating the competent inspection officers, as referred to in Article 13.1.6, paragraph 1 of the Energy Decree of 8 May 2009, laying down the mandatory information that licence holders must submit, as referred to in Article 14.2.2, Section 2, paragraph 2 of the Energy Decree of 8 May 2009, and to determine the deferral of payment of the levy, as referred to in Article 14.2.3 of the Energy Decree of 8 May 2009, in respect of the levy on electricity consumption points

Article 55. In Article 1 of the Flemish Government Decree of 3 July 2015 designating the competent inspection officials, as referred to in Article 13.1.6, paragraph 1 of the Energy Decree of 8 May 2009, laying down the mandatory information to be provided by licence holders, as referred to in Article 14.2.2, Section 2, paragraph 2 of the Energy Decree of 8 May 2009, and to determine the deferral of payment of the levy, as referred to in Article 14.2.3 of the Energy Decree of 8 May 2009 concerning the levy on electricity consumption points, as amended by the Flemish Government Decree of 1 June 2018, the following amendments are made:

1° to paragraph 1, point 4, the words ‘, per tariff, referred to in Article 14.1.2 of the Energy Decree of 8 May 2009’ shall be added;

2° The phrase ‘, by means of a form made available by the Flemish Tax Administration’ shall be added to paragraph 2.

Chapter 5. Amendments to the Flemish Government Decree of 7 June 2024 on the transport of carbon dioxide by pipelines in the Flemish Region

Article 56. In Article 2 of the Flemish Government Decree of 7 June 2024 on the transport of carbon dioxide through pipelines in the Flemish Region, the following amendments are made:

1° a point 1/0 is inserted, with the following text:

‘1/0 different quality standards: the quality standards in accordance with Article 69, Section 3 of the Decree of 29 March 2024, which derogate from the quality standards referred to in Article 69, Section 1 of the Decree of 29 March 2024 only for a clearly defined part of a local cluster;’

2° a point 5/1 is inserted, with the following text:

'5/1 Royal Decree of 11 March 1966: the Royal Decree of 11 March 1966 concerning the declaration of public utility for the establishment of transport facilities for gaseous products and others by means of pipelines;'

3° a point 6/1 is inserted, with the following text:

'6/1: quality standards draft: the quality standards draft, in accordance with Article 69, Section 1 and Article 70, Section 1 of the Decree of 29 March 2024;'

Article 57. In Article 24 of the same Decree, the words 'for the first time' are replaced with the words 'at the latest'.

Article 58. In Article 25 of the same Decree, in the second paragraph, the words 'within ninety days' are replaced by the words 'within forty-five days'.

Article 59. In Article 48 of the same Decree, the words 'for the first time' are replaced with the words 'at the latest'.

Article 60. In Article 49 of the same Decree, in the second paragraph, the words 'within ninety days' are replaced by the words 'within forty-five days'.

Article 61. In the same Decree, a Title 3/1, consisting of Articles 50/1 to 50/6 is inserted, which reads as follows:

'Title 3/1. Declaration of public benefit

Article 50/1. Section 1. The operator of a local cluster or the transport network operator must submit the application for the granting of a declaration of public interest to the Minister by secure consignment.

For the processing of personal data for the purpose set out in the first paragraph, the operator of a local cluster or the operator of the transport network and the Minister shall act as separate data controllers, as referred to in Article 4(7) of the General Data Protection Regulation.

Section 2. The application referred to in Section 1, signed by the applicant or by their authorised representative, must state at least the following:

- 1° the trade name or name, legal form, registered office and company registration number of the applicant, as well as its articles of association and the documents evidencing the applicant's authority to bind it legally, together with the name, position and contact details of a contact person appointed by the applicant;
- 2° the subject of the application;
- 3° the list of annexed plans and documents in accordance with Section 3;
- 4° the application's date of submission.

Section 3. The following list of annexed plans and documents shall be attached to the application in an appropriate and legible format (paper or electronic):

- 1° a notice containing the following information:

- a) the identity of the owner and operator of the pipelines for whom the public benefit declaration is to be drawn up;
- b) the reasons justifying the temporary occupation of private undeveloped land;
- 2° a list, for each municipality concerned, of the names and addresses of the owners, and any tenants or other occupiers of the plots of land referred to in point 4 below;
- 3° a scale map at a scale of at least 1:25,000 showing the proposed route, as well as roads and waterways, railway and tram lines that are used or crossed, and telecommunications lines and pipelines that are crossed or located within two metres of the route;
- 4° a cadastral extract, indicating the plots of land beneath or on which the pipelines are to be laid, and the designation of these installations.

Section 4. The note referred to in Section 3, point 1 and the copies of the application must be submitted in as many copies as there are municipalities plus three. The other documents referred to in Section 3 must be submitted in at least three copies.

Each copy shall be submitted in a separate cover.

In addition, the application must be accompanied by the addresses, as shown on labels, of the owners and any tenants or other occupants of the plots referred to in Section 3, point 2.

The minister may, at their discretion, require additional copies of all or some of the documents. These additional copies must be supplied by the applicant within six days of being requested.

All documents must be supplied by the applicant at their own expense.

The applicant shall have the opportunity to submit amended or additional plans or other documents before the Minister has made a decision on the application. In this case, the Minister shall decide whether these plans or documents are to be subjected to a new public inquiry referred to in Article 50/2, Section 2, and whether the six-month decision period should be extended in accordance with Article 50/4, Section 1.

Section 5. For the processing of personal data for the purpose set out in Section 1, paragraph 1, the retention period for the personal data shall be determined in accordance with the retention period laid down in Article III.87, Section 1/1, paragraph 4, point 1, of the Administrative Decree of 7 December 2018.

Article 50/2. Section 1. Within thirty days of receiving all the documents referred to in Article 50/1, the Minister shall, in accordance with Section 2, conduct a public inquiry in each municipality in which the land referred to in Article 50/1, Section 3, point 2 is situated. The Minister will provide all the necessary documents to the municipalities concerned.

Each municipality concerned shall initiate the aforementioned investigation within fifteen days of receipt of the necessary documents from the Minister.

Section 2. A copy of the application and at least one copy of the documents referred to in Article 50/1, Section 3, shall be made available for inspection at the town hall of each municipality referred to in Section 1, for a period of thirty days, in order to allow the public inquiry to take place.

Within three days of this document being made available for inspection, a notice shall be displayed at the usual locations for the display of notices and announcements, stating that the document has been made available for inspection.

At the same time, each local authority shall send a notice concerning the application submitted to the owners, tenants and other occupants of the plots referred to in Article 50/1, Section 3, point 2, individually and by secure consignment to their place of residence, specifying the deadline by which and the place where they may submit their objections and comments in writing. The costs associated with sending the secure consignments will be reimbursed by the applicant upon simple request from the municipalities concerned. Proof of the postage costs must be enclosed with the refund request.

Fulfilment of the formalities referred to in the preceding paragraph shall be recorded in a certificate drawn up by the College of Mayor and Aldermen. This certificate shall be attached to the minutes of the public inquiry.

Section 3. The thirty-day period specified in Section 2 shall commence on the date on which the notices are displayed, as referred to in Section 2, paragraph 2, and the secure consignments are dispatched, as referred to in Section 2, paragraph 3, or, if these do not take place on the same day, on the date that the latter was carried out.

Article 50/3. Section 1. The objections and observations to which the application has given rise shall be taken up by the College of Mayor and Aldermen during the period referred to in Article 50/2, Section 3.

Section 2. The minutes drawn up for that purpose shall contain:

- 1° all comments made orally, signed by the persons who have raised their objections or observations in accordance with Article 50/2, Section 2;
- 2° all written objections in the annex to these minutes.

Section 3. Once the period referred to in Article 50/2, Section 3, has expired, the mayor, or their designated representative, shall finalise the minutes and forward them to the Minister within a period of twenty-one days.

Article 50/4. Section 1. The Flemish Government shall decide on the application referred to in Article 50/1, Section 1, within six months of receiving the complete application.

The Flemish Government may, provided it gives sufficient reasons, extend this period by a maximum of two months. In the event of a renewal, the applicant will be notified of this renewal decision.

Section 2. In cases of extreme urgency, the Minister may reduce the time limits for deciding on the application referred to in Article 50/1, Section 1 to thirty days.

In that case, they shall adjust the other time limits laid down in Articles 50/2 and 50/3 and shall inform the municipalities concerned accordingly.

Section 3. The plans relating to the declaration of public utility are signed by the Minister.

Section 4. The Flemish Government shall notify the operator of a local cluster or the transport network operator of its decision by secure consignment within three days of its adoption.

Article 50/5. Section 1. The holder of a public utility licence in accordance with the Royal Decree of 11 March 1966 may ask the Minister to transfer it to another licence holder if the installation in question is repurposed for use as pipelines for the transport of carbon dioxide. This transfer request shall be submitted to the Minister by secure consignment.

Section 2. If the transfer referred to in Section 1 does not entail any change to the original route on the cadastral parcels covered by the declaration of public utility referred to in paragraph 1, the Minister shall examine whether there is a public interest in repurposing the installation in question for use as pipelines for the transport of carbon dioxide. They shall notify the applicant of their approval decision within 30 days of receipt of the application referred to in Section 1. Where appropriate, the Minister shall grant the applicant a declaration of public benefit.

Section 3. If the transfer referred to in Section 1 involves a change in the original route on one or more cadastral parcels covered by the existing public benefit declaration, the candidate transferor of the public benefit declaration shall request a new declaration of public benefit in accordance with Article 50/1.

Notwithstanding Article 50/2, Section 2, third paragraph, only the owners, tenants and other users of the newly occupied cadastral parcels and of the parcels where the route is being amended shall be informed by the local authorities via a secure delivery during the public consultation referred to in Article 50/2, Section 1.

Article 50/6. Following the approval of the declaration of public utility in favour of the local cluster operator or the transport network operator, the local cluster operator or the transport network operator shall pay an annual or one-off lump-sum compensation to the owners of private land or to the holders of rights in rem attached to such land, for the occupation of the said land.

Where the remuneration referred to in the first paragraph is paid annually, it shall amount to at least:

- EUR [0.0062] per year and per linear metre of pipeline in land with meadows, arable land or forest;
- EUR [0.0050] per year and per linear metre of pipeline in undeveloped land.'.

Article 62. In Title 4 of the same Decree, the following heading shall be inserted before Article 51:

‘Chapter 2. Applications for connection’.

Article 63. A Title 3 is added to Chapter 4 of the same Decree, comprising a Section 1, consisting of Article 52/1, and a Section 2, consisting of Article 52/2, which reads as follows:

‘Chapter 3. Quality Standards

Section 1. Quality standards applicable to the operator of a local cluster

Article 52/1. Section 1. The operator of a local cluster must submit the draft quality standards to the Minister via a secure consignment.

The draft referred to in paragraph 1 shall contain at least the following documents:

- 1° a detailed justification of compliance with the conditions and standards in accordance with Articles 68 and 69 of the Decree of 29 March 2024;
- 2° a report on the consultations held with the network users concerned, the potential network users within the contiguous geographical area and all other relevant market participants, in accordance with Article 69, Section 1, paragraph 1, of the Decree of 29 March 2024.

Section 2. The Minister shall seek the advice of the Flemish Utility Regulator on the draft quality standards referred to in Section 1, at least as regards compliance with Section 1, paragraph 2.

The Flemish Utility Regulator shall provide the Minister with the opinion referred to in paragraph 1 within forty-five days from the date of receipt of the request for an opinion.

In the absence of an opinion within the above-mentioned period, the opinion shall be deemed to be favourable.

The Flemish Utility Regulator may request the operator of the local cluster to provide, within ten days, any additional information it deems necessary in connection with the opinion referred to in the first paragraph.

Section 3. The Flemish Government shall decide, within ninety days of receiving the opinion from the Flemish Public Utility Regulator, in accordance with Section 2, on the approval of the quality standards draft.

The Minister may ask the operator of the local cluster to provide, within ten days, any additional information the Minister deems necessary for the purposes of the decision.

The Flemish Government shall notify the operator of a local cluster of its decision regarding the approval of the draft quality standards within ten days of their adoption, by secure delivery. If the Flemish Government refuses approval, the Minister may request the manager of a local cluster to amend the draft within a reasonable period of time.

Section 4. Notwithstanding Sections 1 to 3, the operator of a local cluster may submit a reasoned application to apply different quality standards to a clearly

defined part of the local cluster, in the cases set out in Article 69, Section 3, of the Decree of 29 March 2024.

The operator of a local cluster must submit the application for a derogation referred to in paragraph 1 to the Minister via a secure consignment. The application for a derogation will contain at least the following information:

- 1° a detailed justification of the need for the derogation that was applied for, taking into account the provisions of Article 68 of the Decree of 29 March 2024;
- 2° a technical justification for the derogation that was applied for;
- 3° a report on the consultations held with the network users concerned in accordance with Article 69, Section 3 of the Decree of 29 March 2024.

Before approving the application for a derogation, the Flemish Government may request additional advice from the Flemish Utility Regulator. In the event of such a request for an additional opinion, the Flemish Utility Regulator shall deliver its opinion to the Minister within a period of forty-five days from the date of receipt of the request for an opinion.

The Flemish Utility Regulator may ask the operator of the local cluster to provide, within a period of ten days, any additional information it deems necessary in the context of the opinion referred to in the previous paragraph.

The Flemish Government shall notify the operator of a local cluster of its decision regarding the approval of the application for a derogation within ten days of that decision being taken, by secure consignment. The approval shall contain at least:

- 1° the additional conditions, if any, to which the derogation is subject;
- 2° the period of validity for the granted derogation;
- 3° the definition of the part of the local cluster for which the derogation is granted.

Section 2. Quality standards applicable to the operator of the transport network

Article 52/2. Section 1. The transport network operator must submit the quality standards draft to the Minister via a secure consignment.

The draft referred to in paragraph 1 shall contain at least the following documents:

- 1° a detailed justification of compliance with the conditions and standards in accordance with Articles 68 and 70 of the Decree of 29 March 2024;
- 2° a report of the consultations held with the network users concerned, the potential network users, the operators of the local clusters, the operators of pipelines or of a network of pipelines or of a network of pipelines for the transport of carbon dioxide that are not located in the Flemish Region and all other relevant market parties, in accordance with Article 70, paragraph 1 of the Decree of 29 March 2024.

Section 2. The Minister shall seek the opinion of the Flemish Utility Regulator on the quality standards draft referred to in Section 1, at least as regards compliance with Section 1, paragraph 2.

The Flemish Utility Regulator shall submit its opinion to the Minister within forty-five days from the date of receipt of the request for an opinion.

In the absence of an opinion within the above-mentioned period, the opinion shall be deemed to be favourable.

The Flemish Utilities Regulator may ask the operator of the transport network to provide, within ten days, any additional information it deems necessary in connection with its advice.

Section 3. The Flemish Government shall decide, within ninety days of receiving the opinion from the Flemish Utility Regulator in accordance with Section 2, on the approval of the quality standards draft.

The Minister may ask the operator of the transport network to provide, within a period of ten days, any additional information that the Minister deems necessary in the context of the decision.

The Flemish Government shall notify the operator of the transport network of its decision regarding the approval of the quality standards draft by secure consignment within ten days of their adoption.

If the Flemish Government refuses the approval, the Minister may request the operator of the transport network to amend the draft within a reasonable period of time.

Chapter 6. Amendments to the Flemish Government Decree of 20 December 2024 on the monitoring and reporting of greenhouse gas emissions from fuels upon release for consumption, and amending the Flemish Government Decree of 6 September 2019 on tradable greenhouse gas emission allowances for stationary installations for the period 2021-2030

Article 64. In Article 4 of the Flemish Government Decree of 20 December 2024 on the monitoring and reporting of greenhouse gas emissions from fuels upon release for consumption and amending the Flemish Government Decree of 6 September 2019 on tradable greenhouse gas emission allowances for stationary installations for the period 2021-2030, a Section 1/1 is inserted, which reads as follows:

‘Section 1/1. For biomass released for consumption by a regulated entity and for which a proof of sustainability as set out in Implementing Regulation (EU) 2018/2066 and by reference to it in Commission Implementing Regulation (EU) 2022/996 of 14 June 2022 on requirements to verify sustainability and greenhouse gas reduction criteria as well as criteria concerning low risk of indirect changes in land use is necessary, proof of sustainability within the meaning of one of the voluntary certification schemes recognised by the European Commission in accordance with Article 30, Sections 4 and 5 of Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources shall be submitted.

The evidence submitted shall be verified and included in the verified annual emissions report submitted to the VEKA by 14 April in accordance with Section 1.’.

Chapter 7. Transitional provisions and final clauses

Article 65. Article 36 of the Decree of 27 February 2026 laying down various provisions on energy and climate shall enter into force on 1 September 2026.

Article 66. Article 6.4.1/5/2 and Article 6.4.1/6 of the Energy Decree of 19 November 2010, as in force on 31 December 2026, shall continue to apply to applications made pursuant to Article 6.4.1/5/2, Sections 1, 2 and 4, which were submitted before 1 January 2027.

Article 67. Article 7.4.4, Section 1, paragraph 1, last sentence of the Energy Decree of 19 November 2010, as in force prior to the date of entry into force of Article 25, point 2 of this Decree, shall continue to apply to projects for which applications for aid were submitted prior to the date of entry into force of Article 25, point 2 of this Decree.

Article 68. Articles 33, 34, 36, 37, 38, 39 and 54 apply exclusively to cases for which the notification is made, or the application for an environmental permit for urban development works is submitted, on or after 1 January 2027.

Articles 35 and 53 shall apply only to all EPB files for which, on the date of entry into force of Article 53, the final EPB declaration has not yet been submitted.

Article 69. Article 48 shall enter into force on the day of its publication in the Belgian Official Gazette.

Articles 31 and 42 shall enter into force on 1 July 2026.

Articles 43 to 47 take effect on 1 September 2026.

Articles 17, 18 and 26 shall enter into force on 1 January 2027.

Article 70. The Minister responsible for energy and the Minister responsible for the climate are responsible, in their own fields, for the implementation of this Decree.

Brussels, ... (date).

The Minister-President of the Flemish Government,

Matthias DIEPENDAELE

The Flemish Minister for Housing, Energy and Climate, Tourism and Youth,

Hans BONTE