



# **Renewable energy policy database and support – RES-LEGAL EUROPE**

## **National profile: Portugal**

Client: DG Energy

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## Portugal - summary text

In Portugal, electricity from renewable sources is mainly promoted through a feed-in tariff (FiT). In the transport sector, the main incentives are a biofuel quota system and a tax exemption to small producers (PPDs).

Electricity from renewable energy sources (except large hydropower plants) is regulated under the Special Regime (Regime Especial). Access of electricity from renewable sources to the grid shall be granted according to the principle of non-discrimination and priority shall be given to electricity produced from RES (except for hydro plants with an installed capacity exceeding 30MW). The obligation to purchase the electricity generated under the Special Regime in the period it benefits from the FiT creates favourable conditions for the deployment of RES-E. Grid operators are generally obliged to develop the grid system. However, individual plant operators do not have the right to demand grid expansion.



## RES-E support schemes

### Summary of support schemes

<b>Overview</b>	In Portugal, electricity from renewable sources is mainly promoted through a feed-in tariff.
<b>Summary of support system</b>	<ul style="list-style-type: none"> <li>• <b>Feed-in tariff.</b> In Portugal, the most important means of promotion is a feed-in tariff. Operators of renewable energy plants are contractually entitled against the grid operator to payment for electricity exported to the grid. The grid operator is obliged to enter into a contract on the purchase of electricity at a statutorily set price ("obligation to enter into a contract"). The feed-in tariff consists of two elements: a guaranteed payment rate and an amount calculated by a statutorily set formula. Most of the feed-in tariffs were defined in 2007 and are applicable to renewable technologies (except large hydropower plants) for a certain timeframe (i.e., 2, 12, 15, 20, 25 or 35 years) or until an upper limit of production is reached, whichever occurs first. Currently, a new regime for the remuneration of RES-E is under discussion.</li> </ul>
<b>Technologies</b>	In general, all technologies used in renewable electricity generation are eligible for support.
<b>Statutory provisions</b>	<ul style="list-style-type: none"> <li>• DL 189/88 (Decreto-Lei n.º 189/88 de 27 de Maio – Decree-Law No. 189/1988 of 27 May ) as amended</li> <li>• DL 363/2007 (Decreto-lei n.º 363/2007 de 02 de Novembro – Decree-Law No. 363/2007 of 2 November) as amended.</li> <li>• DL 34/2011 (Decreto-Lei n.º 34/2011 de 8 de Março – Decree-Law No. 34/2011 of 8 March) as amended</li> <li>• Ordinance 178/2011 (Portaria n.º 178/2011 de 29 de Abril) sets the fees to register a miniproduction unit.</li> <li>• Ordinance 431/2012 (Portaria n.º 431/2012 de 31 de Dezembro) set the annual reduction rate of the electricity tariff applicable to microproduction units in 2013.</li> <li>• Ordinance 430/2012 (Portaria n.º 430/2012 de 31 de Dezembro) set the annual reduction rate of the electricity tariff applicable to miniproduction units in 2013.</li> </ul>



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	<ul style="list-style-type: none"><li>• Ordinance 286/2011 (Portaria n.º 286/2011 de 31 de Outubro) sets the coefficient Z for the calculation of the FiT for wind offshore projects.</li><li>• DL 35/2013 (Decreto-Lei 35/2013 de 28 de Fevereiro – Decree-Law No. 35/2013 of 28 February)</li></ul>
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### Basic information on legal sources

<b>Name of legal source (original language)</b>	Decreto-Lei n.º 189/88 de 27 de Maio		Decreto-Lei n.º 363/2007 de 2 de Novembro	Decreto-Lei n.º 34/2011 de 8 de Março
<b>Full name</b>				
<b>Name (English)</b>	Decree-Law No. 189/1988 of 27 May		Decree-Law No. 363/2007 of 2 November	Decree-Law No. 34/2011 of 8 March
<b>Abbreviated form</b>	DL 189/88		DL 363/2007	DL 34/2011
<b>Entry into force</b>	28.05.1988		31.01.2008	22.04.2011
<b>Last amended on</b>	28.02.2013		19.02.2013	19.02.2013
<b>Future amendments</b>				
<b>Purpose</b>	This decree-law regulates renewable electricity generation.		DL 363/2007 establishes the legal framework for electricity generated by 'microproduction units'. Its amending act (DL 118-A/2010) simplifies this	This decree-law establishes the legal framework for RES-E generation by small power installations or plants



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			framework.	(miniproduction units).
<b>Relevance for renewable energy</b>	Decree-Law No. 189/88 regulates the generation of renewable electricity. DL 225/2007, DL 33A-2005 and DR 71/2007 amended the provisions on the feed-in tariff for electricity from renewable sources.	.	<p>This decree-law establishes the legal framework for renewable energy generation by 'microproduction units'.</p> <p>A microproduction unit is defined as an installation that uses a single production technology and a single-phase or three-phase load operating at low voltage and has a capacity of up to 5.75 kW (art. 3 DL 118-A/2010).</p>	<p>This decree-law establishes the legal framework for renewable energy generation by small power installations or plants (miniproduction units),</p> <p>A miniproduction unit is defined as an installation that uses a single production technology and has a capacity of up to 250 kW (art. 1 DL 34/2011).</p>
<b>Link to full text of legal source (original language)</b>	<p><a href="http://dre.pt/pdf1sdip/1988/05/12300/22892296.pdf">http://dre.pt/pdf1sdip/1988/05/12300/22892296.pdf</a></p> <p><a href="http://www.igf.min-financas.pt/inflegal/bd_igf/bd_l_eqis_geral/Leq_geral_docs/DL_189_88.htm">www.igf.min-financas.pt/inflegal/bd_igf/bd_l_eqis_geral/Leq_geral_docs/DL_189_88.htm</a></p> <p>(non-official source; excluding amendments)</p> <p>Official links to the amending decrees:</p>		<p><a href="http://dre.pt/pdf1sdip/2007/11/21100/0797807984.pdf">http://dre.pt/pdf1sdip/2007/11/21100/0797807984.pdf</a></p> <p>Official link to the amending decrees:</p> <p>DL 118-A/2010:</p> <p><a href="http://dre.pt/pdf1sdip/2010/10/20701/0000200015.pdf">dre.pt/pdf1sdip/2010/10/20701/0000200015.pdf</a></p> <p>DL 25/2013:</p>	<p><a href="http://dre.pt/pdf1sdip/2011/03/04700/0131601325.pdf">http://dre.pt/pdf1sdip/2011/03/04700/0131601325.pdf</a></p> <p>Official link to the amending decree:</p> <p>DL 25/2013:</p> <p><a href="http://dre.pt/pdf1sdip/2013/02/03500/0103701058.pdf">http://dre.pt/pdf1sdip/2013/02/03500/0103701058.pdf</a></p>





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	<p>DL 225/2007: <a href="http://dre.pt/pdf1sdip/2007/05/10500/36303638.pdf">dre.pt/pdf1sdip/2007/05/10500/36303638.pdf</a></p> <p>DL 33A-2005: <a href="http://www.dre.pt/pdf1sdip/2005/02/033A01/00020009.PDF">www.dre.pt/pdf1sdip/2005/02/033A01/00020009.PDF</a></p> <p>DR 71/2007: <a href="http://dre.pt/pdf1sdip/2007/07/14100/0467604676.pdf">dre.pt/pdf1sdip/2007/07/14100/0467604676.pdf</a></p> <p>Official Portuguese Law Database: Diário da República Eletronico (D.R.E.) <a href="http://www.dre.pt/sug/1s/diplomas.asp">www.dre.pt/sug/1s/diplomas.asp</a> <u>e</u></p>		<a href="http://dre.pt/pdf1sdip/2013/02/03500/0103701058.pdf">http://dre.pt/pdf1sdip/2013/02/03500/0103701058.pdf</a>	
<p>Link to full text of legal source (English)</p>			<p><a href="http://res-legal.de/fileadmin/translations/Microgeneration_Portugal_EN.doc">http://res-legal.de/fileadmin/translations/Microgeneration_Portugal_EN.doc</a></p> <p>The English version is an unofficial translation of the consolidated version of Decree-Law No. 363/2007, which was amended by DL 118-A/2010.</p> <p>Official English summary of DL</p>	<p><a href="http://dre.pt/sug/1s/diplomas_resumo.asp?id=20110422&amp;lang=en">http://dre.pt/sug/1s/diplomas_resumo.asp?id=20110422&amp;lang=en</a></p> <p>Official English summary</p>



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			118-A/2010: <a href="http://www.dre.pt/sug/1s/diplomas_re_sumo.asp">www.dre.pt/sug/1s/diplomas_re_sumo.asp</a>	
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<b>Name of legal source (original language)</b>	Decreto-Lei n.º 35/2013 de 28 de Fevereiro		
<b>Full name</b>			
<b>Name (English)</b>	Decree-Law No. 35/2013 of 28 February		
<b>Abbreviated form</b>	DL 35/2013		
<b>Entry into force</b>	29.02.2013		
<b>Last amended on</b>			
<b>Future amendments</b>			
<b>Purpose</b>	DL 35/2013 changes Annex II of DL 189/88 and provides for the alternative remuneration regimes for electricity produced from wind plants. Ordinance 119/2013 of 25 March regulates the consequences of breach of the obligation to pay the annual compensation provided for in DL 35/2013.		



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<b>Relevance for renewable energy</b>	DL 35/2013 sets alternative remuneration regimes for the electricity produced from wind plants as defined in Annex II of DL 189/88 before the entry into force of DL 33-A/2005.		
<b>Link to full text of legal source (original language)</b>	<a href="http://dre.pt/pdf1sdip/2013/02/04200/0115401165.pdf">http://dre.pt/pdf1sdip/2013/02/04200/0115401165.pdf</a>		
<b>Link to full text of legal source (English)</b>			



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### Further information

Institution (name)	Website	Name of contact person (optional)	Telephone number (head office)	E-mail (optional)
Ministério da Economia, da Inovação e do Desenvolvimento. Direcção Geral de Energia e Geologia (DGEG) – Directorate General for Energy and Geology at the Ministry of Economy, Innovation and Development	<a href="http://www.dgeg.pt/">http://www.dgeg.pt/</a>		+351 217 922 782	<a href="mailto:Racionalizacao.Energia@dgge.pt">Racionalizacao.Energia@dgge.pt</a>
Agência para a Energia (ADENE) – Energy Agency	<a href="http://www.adene.pt/pt-pt/Paginas/welcome.aspx">http://www.adene.pt/pt-pt/Paginas/welcome.aspx</a>		+351 214 722 800	<a href="mailto:geral@adene.pt">geral@adene.pt</a>
Portal das Energias Renováveis (PER) – Information Portal on Renewable Energy	<a href="http://www.energiasrenovaveis.com/">http://www.energiasrenovaveis.com/</a>		+351 914 102 695	<a href="mailto:mail@energiasrenovaveis.com">mail@energiasrenovaveis.com</a>



**Support schemes**

**Feed-in tariff (Tarifas feed-in)**

<p><b>Abbreviated form of legal source(s)</b></p>	<ul style="list-style-type: none"> <li>• DL 189/88</li> <li>• DL 363/2007</li> <li>• DL 34/2011</li> <li>• Ordinance 286/2011</li> <li>• Ordinance 430/2012</li> <li>• Ordinance 431/2012</li> </ul>
<p><b>Contact Authority</b></p>	<p>Directorate General for Energy and Geology (DGEG)</p>
<p><b>Summary</b></p>	<p>In Portugal, the generation of electricity from renewable energy sources is mainly promoted through a guaranteed feed-in tariff. Operators of renewable energy plants are contractually entitled against the grid operator to payment for electricity exported to the grid. The grid operator is obliged to enter into a contract on the purchase of electricity at a price set by law ("obligation to enter into a contract", art. 1 par. 1, art. 22 DL 189/88). Changes to the remuneration regime are currently being discussed in the government. Apart from that, there is also a regime for micro and a mini production units, which is also under review and had a few changes recently introduced by the amending act DL 25/2013.</p> <p>The guaranteed feed-in tariff, which is calculated by a formula, is the only means of promotion. The calculation is based on various factors like plants output and capacity. The formulas and payment rates for some technologies have been revised and laid down in item 2 of DL 225/2007.</p> <p>Microproduction: DL 363/2007 establishes individual tariffs for electricity generated from renewable sources by so-called microproduction units and for electricity combined with heating systems (art. 3 DL 363/2007). Microproduction units are installations that use a single production technology and have a single-phase or three-phase load operating at a low voltage, and a capacity of no more than 5.75 kW (art. 3 of DL 118-A/2010). Solar energy installations, wind power plants, hydro-electric power plants or biomass-fuelled CHP plants whose capacity is &lt; 3.68 kW are eligible for a special tariff ("Regime</p>



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Eligible technologies	<p>bonificado”) (art. 9 par. 1 b, art. 11 par. 6 DL 363/2007 as amended by DL 118-A/2010). The operators of microproduction units receive the special tariff for 15 years (art. 11 of DL 363/2007).</p> <p>Miniproduction: DL 34/2011 set specific rules for RES production from small power plants (miniproduction units) which use a single production technology and have a capacity of up to 250 kW. The installed capacity of plants considered to be miniproduction units is limited to 50% of the consumption level defined in the power purchase agreement (art. 3 of DL 34/2011).</p> <p>Decree-Law 35/2013 provides for alternative remuneration regimes for the electricity produced from wind plants (as defined in Annex II of DL 189/88 before the entry into force of DL 33-A/2005). These plants might choose to accede to an alternative remuneration regime for an additional period of five or seven years after the end of the period of guaranteed remuneration upon the commitment to contribute to the sustainability of the National Electric System (SEN) through the payment of a compensation (Art. 1 DL 35/2013).</p>	
	General information	In general, all renewable energy generation technologies are eligible (art. 18 Annex II DL 189/1988 republished by DL 35/2013).
	Wind energy	Eligible (Annex II par. 18 a DL 189/1988 as amended by DL 225/2007).
	Solar energy	Eligible (art. 2 DL 225/2007).
	Geothermal energy	Eligible (Annex II par. 18 e DL 189/1988 as amended by DL 225/2007).
	Biogas	Eligible (art. 2 DL 225/2007).
	Hydro-power	Eligible (Annex II par. 18 b, c DL 189/1988); however, the plant capacity shall not exceed 10 MW (art. 1 par. 2 DL 189/88). Electricity from wave energy is subject to different regulations. The total generation capacity of plants that are part of a pilot project shall not



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		exceed 4 MW per project and 20 MW at the national level (art. 2 (h) of DL 225/2007).
	<b>Biomass</b>	Eligible (Annex II par. 18 DL 189/1988 as amended by DL 225/2007). DL 179/2012 amends DL 5/2011 and widens the deadlines concerning the access to incentives for forest biomass.
<b>Amount</b>	<b>General information</b>	<p>The amount of feed-in tariff depends on the source of energy used. Where statutory law does not specify a feed-in tariff for an individual technology, the amount of payment can be calculated only by using a formula (art. 2 DL 225/2007). With the introduction of the coefficient Z by Decree-Law 339-C/2001, the remuneration system for renewable energy distinguishes between several tariff levels based on the technology used. The formula is rather complex and Z is the coefficient reflecting the specific characteristics of the resource and the technology used in licensed facilities.</p> <p>The tariff level is calculated from a formula comprising flexible factors (DL 189/88 Annex II).</p> <p>In case of micro and mini production units, the producer receives based on the reference tariff in place at the time of the issuance of the certification of exploitation.</p> <p>Microproduction units: in general, the reference tariff in 2013 is € 272/MWh for the first period of eight years and € 150/MWh for the second period of seven years. (Circular DGEG of 2 January 2013). Miniproduction units: in general, the reference tariff in 2013 is € 185/MWh (Circular DGEG of 2 January 2013).</p>



	<p><b>Wind energy</b></p>	<p>Indicative average rate: € 74-75 per MWh (DL 225/2007) (source: <a href="http://www.dgeg.pt/">www.dgeg.pt/</a>). Ordinance 286/2011 sets the coefficient Z for the calculation of the FiT for wind offshore projects.</p> <p>With regards to the wind plants covered by the provisions of DL 35/2013 that accede to one of the alternative regimes provided for in the Decree-Law, an annual compensation (from 2013 to 2020) shall be paid to the National Electric System. The calculation of the compensation is based on a reference value for each MW of installed power (Art. 5 of DL 35/2013).</p> <p>Microproduction unit: 80% of the reference tariff (art. 11(6) DL 363/2007 amended by DL 118-A/2010).</p> <p>Miniproduction unit: 80% of the reference tariff (art. 11(7) DL 34/2011).</p>
	<p><b>Solar energy</b></p>	<p><b>Photovoltaic installation</b> as defined in DL 132-A/2010: Indicative average rate: € 257 per MWh (DL 132-A/2010).</p> <p><b>Concentrating photovoltaic (CPV) installations:</b> Installations with a capacity <math>\geq 1</math> MW up to a limit of 5 MW of installed power on the national level: indicative average rate: € 380 per MWh (Ordinance 1057/2010).</p> <p>Microproduction unit: 100% of the reference tariff (art. 11(6) DL 363/2007 amended by DL 118-A/2010). The reference tariff in 2013 for PV is € 196/MWh for the first period of eight years and € 165/MWh for the second period of seven years (Ordinance</p>





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		<p>431/2012).</p> <p>Miniproduction unit: 100% of the reference tariff (art. 11(7) DL 34/2011). The reference tariff in 2013 for PV is € 151/MWh (Ordinance 430/2012).</p>
	<b>Geothermal energy</b>	Plants up to 3 MW: Indicative average rate: € 270 per MWh (Ordinance 865/2009)
	<b>Biogas</b>	<p>Fermentation of solid municipal waste, sewage sludge from waste water treatment, waste water and waste from the agricultural and food industries: Indicative average rate: € 115-117 per MWh (DL 225/2007)</p> <p>Landfill gas plants: Indicative average rate: € 102-104 per MWh (DL 225/2007)</p> <p>Miniproduction unit: 60% of the reference tariff (art. 11(7) DL 34/2011).</p>
	<b>Hydro-power</b>	<p>Traditional Hydro: Plants up to 10 <u>MW</u>: Indicative average rate: € 91-95 per MWh (DL 126/2010)</p> <p>Wave hydro power: Plants (pilot-projects) up to 4 MW: Indicative average rate: € 260 per MWh. Plants (pre-commercial) up to 20MW: Indicative average rate: € 191 per MWh. Commercial plants: Indicative average rate: € 131 per MWh for the first 100MW and € 101 per MWh for the subsequent 150MW (DL 225/2007).</p>



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		<p>Microproduction unit: 40% of the reference tariff (art. 11(6) DL 363/2007 amended by DL 118-A/2010).</p> <p>Miniproduction unit: 50% of the reference tariff (art. 11(7) DL 34/2011).</p>
	<b>Biomass</b>	<ul style="list-style-type: none"> <li>• Forest Biomass; Indicative average rate: € 119 per MWh (DL 5/2011)</li> <li>• Animal Biomass; Indicative average rate: € 102-104 per MWh (DL 225/2007)</li> </ul> <p>Miniproduction unit: 60% of the reference tariff (art. 11(7) DL 34/2011).</p>
<b>Degression</b>	<b>General information</b>	<p>The tariffs for Miniproduction and Miniproduction units are subject to the following degression:</p> <p>Microproduction units: The reference tariff was set at € 400/MWh for the first period (8 years) and € 240/MWh for the second period (7 years) with an annual reduction of € 20/MWh (art. 11(5) DL 363/2007 amended by DL 118-A/2010). However, Ordinance 431/2013 set a new annual reduction rate for PV (€ 130/MWh for the first period of 8 years and € 20/MWh for the second period of 7 years) from 2013 onwards.</p> <p>Miniproduction units: The reference tariff was initially set at € 250/MWh with an annual reduction rate of 7% (art. 11(6) DL 34/2011). However, Ordinance 430/2012 set a new annual reduction rate of 30% for PV from 2013 onwards.</p>



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	<b>Wind energy</b>	
	<b>Solar energy</b>	
	<b>Geothermal energy</b>	
	<b>Biogas</b>	
	<b>Hydro-power</b>	
	<b>Biomass</b>	
<b>Cap</b>	<ul style="list-style-type: none"> <li>• Wind energy: until 33 GWh of electricity have been generated (DL 225/2007).</li> <li>• Solar energy (roof-mounted solar-thermal): until 21 GWh of electricity have been generated (Annex II of DL 189/88 as amended by art 2(c) of DL 225/2007).</li> <li>• Solar energy (photovoltaic installations as defined by DL 132-A/2010): until 34 GWh of electricity have been generated (art. 7 of DL 132-A/2010).</li> </ul> <p>The individual tariffs for microproduction units as defined in DL 118-A/2010 that are combined with heating systems are subject to the following limitations that apply to all eligible technologies (art. 11 DL 363/2007 as amended by art. 10 DL 118-A/2010):</p> <ul style="list-style-type: none"> <li>• The tariffs are limited to 15 years (art. 11(3) DL 363/2007 amended by DL 118-A/2010).</li> <li>• The annual maximum production of wind and solar electricity plants and installations is 2.4 MWh per kW installed. The generation capacity of all other technologies shall not exceed 4 MWh/year (art. 11(7) DL 363/2007 amended by DL 118-A/2010).</li> <li>• The annual maximum plant capacity eligible for the tariff is 11 MW from 2013 onwards (art. 3 Ordinance 432/2013).</li> </ul>	



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	<p>The individual tariffs for miniproduction units as defined by DL 34/2011 are subject to the following limitations that apply to all eligible technologies (art. 11 of DL 34/2011):</p> <ul style="list-style-type: none"> <li>• The tariffs are limited to 15 years (art. 11(4) DL 34/2011).</li> <li>• The annual maximum production for solar and a wind energy installations and plants is 2.6 MWh per kW installed. The generation capacity of all other technologies shall not exceed 5 MWh/year (art. 11(8) DL 34/2011).</li> <li>• The annual maximum plant capacity eligible for the tariff is 30 MW in 2013 ( Circular DGEG of 2 January 2013).</li> </ul>
<b>Eligibility period</b>	<p>The duration of payment depends on the technology used:</p> <ul style="list-style-type: none"> <li>• Wind energy: Payment during the first 15 years of operation (DL 189/88 as amended by art. 2 of DL 33-A/2005) or until 33 GWh of electricity have been generated (DL 225/2007).</li> <li>• Solar energy (roof-mounted solar-thermal): The payment ends either after 15 years or when 21 GWh of electricity have been generated (Annex II of DL 189/88 as amended by art 2(c) of DL 225/2007).</li> <li>• Solar energy (photovoltaic installations as defined by DL 132-A/2010): The payment ends either after 20 years of operation or when 34 GWh of electricity have been generated (art. 7 of DL 132-A/2010).</li> <li>• Geothermal energy: Payment during the first 12 years of operation (Annex II of DL 189/88 as amended by art. 2(i) of DL 225/2007).</li> <li>• Biogas: Payment during the first 15 years of operation (Annex II of DL 189/88 as amended by art 2(f) of DL 225/2007).</li> <li>• Biomass: Payment during the first 25 years of operation (Annex II of DL 189/88 as amended by art 2(e) of DL 225/2007).</li> <li>• Hydro-electricity: <ul style="list-style-type: none"> <li>○ The payment ends after 25 years of operation (DL 126/2010).</li> <li>○ Wave power systems receive payments during the first 15 years of operation. (Annex II of DL 189/88 as amended by art 2(h) of DL 225/2007).</li> </ul> </li> </ul>



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<p><b>Addressees</b></p>	<p><b>Entitled party.</b> The persons entitled are the plant operators (Microproduction units: art. 9(2) DL 363/2007 amended by DL 118-A/2010. Miniproduction units: art. 9 DL 34/2011).</p> <p><b>Obligated party.</b> The plant operator enters a contract with the supplier, which pays for the electricity produced. (Microproduction units: art. 12 DL 363/2007 amended by DL 118-A/2010 and DL 25/2013. Miniproduction units: art. 14 DL 34/2011 amended by DL 25/2013).</p>	
<p><b>Procedure</b></p>	<p><b>Process flow</b></p>	<p><b>Microproduction units:</b> The access to the subsidised regime is requested by the plant operator during the registration at the SRM (Registration System for Microproduction) and is subject to the compliance with the provisions of art. 9 DL 363/2007 (art. 9(4) DL 363/2007 amended by DL 118-A/2010).</p> <p><b>Miniproduction units:</b> The access to the subsidised regime is requested by the plant operator during the registration at the SRMini (Registration System for Miniproduction) and is subject to the compliance with the provisions of art. 9 DL 34/2011.</p> <p>Wind plants covered by the provisions of DL 35/2013 can communicate the DGEG of their decision to accede to one of the alternative regimes within 30 days after the entry into force of the DL. However, the possibility of requesting the accession to one of the alternative regimes provided for in Article 5 of DL 35/2013 remains for up to 2 years after the entry into force of the above-mentioned DL (Art. 15 of DL 35/2013).</p>
	<p><b>Competent authority</b></p>	<p>The Directorate General for Energy and Geology (DGEG) at the Ministry of Economy, Innovation and Development manages the SRM (Registration System for Microproduction) and the SRMini (Registration System for Miniproduction) (art. 7 DL 363/2007 and art.</p>



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		7 DL 34/2011, respectively).  Microproduction units: The information on the applicable tariff is allocated through an order of the Director-General of Energy and Geology .
<b>Flexibility Mechanism</b>		
<b>Distribution of costs</b>	<b>State</b>	
	<b>Consumers</b>	The grid operator may pass on the costs of the feed-in tariff to the consumers through the electricity bill (art. 22 par. 2ff. DL 189/88).
	<b>Plant operator</b>	
	<b>Grid operator</b>	
	<b>European Union</b>	
	<b>Distribution mechanism</b>	



## RES-E grid issues

### Overview

<p><b>Overview of grid issues</b></p>	<p>In Portugal, the existing electricity generation regimes, namely the Ordinary Regime and the Special Regime, have been reviewed and changed by DL 215-B/2012, which promoted a consolidation of the legal regime applicable to the production of electricity from renewable sources. The Special Regime (Regime Especial) applies to electricity from renewable energy sources (except large hydropower plants) as well as CHP plants that benefit from a tariff or guaranteed remuneration, as well as electricity traded in the market (DL 215-A/2012). The obligation to purchase all electricity generated under the Special Regime during the period it benefits from the FiT (art. 55 of DL 172/2006 amended by DL 215-B/2012) creates favourable conditions for the deployment of RES-E. This obligation ceases when the electricity is remunerated under the market regime. However, DL 215-A/2012 created a new supplier, namely the “market facilitator”, which purchases the electricity at the market price.</p> <p>In February 2012, Decree-Law 25/2012 suspended the allocation of power injection into the electric grid, covering applications with network connections points not assigned, except in cases of public interest (Art. 2 of DL 25/2012). However, DL 25/2012 was repealed in October 2012 by Decree-Law 215-B/2012.</p>
<p><b>Connection to the grid</b></p>	<p>Operators of renewable energy plants are contractually entitled against the grid operator to the connection of their plants to the grid. The grid operator is obliged to enter into a contract on the connection of a plant without discriminating against certain plant operators ("obligation to enter into a contract").</p>
<p><b>Use of the grid</b></p>	<p>Plant operators are contractually entitled against the grid operator to the transmission of electricity. The grid operator is obliged to conclude a contract on the use of the grid without discriminating against certain plant operators.</p>
<p><b>Grid development</b></p>	<p>As a rule, plant operators are not entitled to development of the grid. Yet, the grid operator has the general obligation to develop his grid and prepare a Transmission Grid Development and Investment Plan (PDIRT).</p>



<p><b>Statutory provisions</b></p>	<ul style="list-style-type: none"> <li>• DL 189/88 (Decreto-Lei n.º 189/88 de 27 de Maio) on renewable electricity generation, in conjunction with its amending acts DL 313/95 (Decreto-Lei n.º 313/95 de 24 de Novembro), DL 56/97 (Decreto-Lei n.º 56/97 de 14 de Março), DL 168/99 (Decreto-Lei n.º 168/99 de 18 de Maio), DL 312/2001 (Decreto-Lei n.º 312/2001 de 10 de Dezembro), DL 339-C/2001 (Decreto-Lei 339-C/2001 de 29 de Dezembro), DL 33-A/2005 (Decreto-Lei n.º 33-A/2005 de 16 de Fevereiro), DL 225/2007 (Decreto-Lei n.º 225/2007 de 31 de Maio), DR 71/2007 (Declaração de Rectificação n.º 71/2007), DL 51/2010 (Decreto-Lei n.º 51/2010 de 20 de Maio) and DL 35/2013 (Decreto-Lei 35/2013 de 28 de Fevereiro).</li> <li>• DL 118-A/2010 (Decreto-Lei 118-A/2010 de 25 de Outubro)</li> <li>• DL 29/2006 (Decreto-Lei n.º 29/2006 de 15 de Fevereiro) on the organisation of the national electricity grid system, in conjunction with its amending acts DL 104/2010 (Decreto-Lei n.º 104/2010 de 29 de Setembro) and DL 215-A/2012 (Decreto-Lei n.º 215-A/2012 de 08 de Outubro).</li> <li>• DL 172/2006 (Decreto-Lei n.º 172/2006 de 23 de Agosto) on the principles governing the organisation and operation of the national electricity grid system as set by DL 29/2006, in conjunction with its amending act DL 215-B/2012 (Decreto-Lei n.º 215-B/2012 de 8 de Outubro).</li> <li>• DL 363/2007 (Decreto-lei n.º 363/2007 de 02 de Novembro) on the legal framework of the electricity produced by very small power systems (microproduction units), in conjunction with its amending act Law 67-A/2007 (Lei n.º 67-A/2007 de 31 de Dezembro), DL 118-A/2010 (Decreto-Lei 118-A/2010 de 25 de Outubro), and DL 25/2013 (Decreto-Lei 25/2013 de 19 de Fevereiro).</li> <li>• DL 34/2011 (Decreto-Lei n.º 34/2011 de 8 de Março) on renewable energy production in small power plants(miniproduction units) and its amending act DL 25/2013 (Decreto-Lei 25/2013 de 19 de Fevereiro). Ordinance 178/2011 (Portaria n.º 178/2011 de 29 de Abril) sets the fees for the registration of miniproduction units.</li> </ul>
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### Basic information on legal sources

<b>Name of legal source (original language)</b>	Decreto-Lei n.º 189/88 de 27 de Maio		Decreto-Lei n.º 29/2006 de 15 de Fevereiro
<b>Full name</b>			
<b>Name (English)</b>	Decree-Law No. 189/1988 of 27 May		Decree-Law No. 29/2006 of 15 February
<b>Abbreviated form</b>	DL 189/88		DL 29/2006
<b>Entry into force</b>	28.05.1988		16.02.2006
<b>Last amended on</b>	28.02.2013		08.10.2012
<b>Future amendments</b>			
<b>Purpose</b>	This decree-law regulates renewable electricity generation.		This decree-law organises the national electricity grid system.
<b>Relevance for renewable energy</b>	Decree-Law No. 189/88 regulates the generation of renewable electricity. DL 225/2007, DL 33A-2005 and DR 71/2007 amended the provisions on the feed-in tariff for electricity from renewable sources.		This decree-law promotes renewable energy by establishing special provisions.
<b>Link to full text of legal source</b>	<a href="http://dre.pt/pdf1sdip/1988/05/12300/22892296.pdf">http://dre.pt/pdf1sdip/1988/05/12300/22892296.pdf</a>		<a href="http://www.dre.pt/pdf1sdip/2006/02/033">DL 29/2006 http://www.dre.pt/pdf1sdip/2006/02/033</a>



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<p><b>(original language)</b></p>	<p><a href="http://www.igf.min-financas.pt/inflegal/bd_igf/bd_legis_geral/Leq_geral_docs/DL_189_88.htm">www.igf.min-financas.pt/inflegal/bd_igf/bd_legis_geral/Leq_geral_docs/DL_189_88.htm</a></p> <p>(non-official source; excluding amendments)</p> <p>Official links to the amending decrees:</p> <p>DL 225/2007: <a href="http://dre.pt/pdf1sdip/2007/05/10500/36303638.pdf">dre.pt/pdf1sdip/2007/05/10500/36303638.pdf</a></p> <p>DL 33A-2005: <a href="http://www.dre.pt/pdf1sdip/2005/02/033A01/00020009.PDF">www.dre.pt/pdf1sdip/2005/02/033A01/00020009.PDF</a></p> <p>DR 71/2007: <a href="http://dre.pt/pdf1sdip/2007/07/14100/0467604676.pdf">dre.pt/pdf1sdip/2007/07/14100/0467604676.pdf</a></p> <p>Official Portuguese Law Database: Diário da República Eletrónico (D.R.E.) <a href="http://www.dre.pt/suq/1s/diplomas.asp">www.dre.pt/suq/1s/diplomas.asp</a></p>		<p><a href="#">A00/11891203.PDF</a></p> <p>Official link to amending decree:</p> <p>DL 215-A/2012: <a href="http://dre.pt/pdf1sdip/2012/10/19401/000200045.pdf">http://dre.pt/pdf1sdip/2012/10/19401/000200045.pdf</a></p>
<p><b>Link to full text of legal source (English)</b></p>			
<p><b>Name of legal source (original language)</b></p>	<p>Decreto-Lei n.º 34/2011 de 8 de Março</p>	<p>Decreto-Lei n.º 363/2007 de 2 de Novembro</p>	<p>Decreto-Lei n.º 172/2006 de 23 de Agosto</p>



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Full name			
Name (English)	Decree-Law No. 34/2011 of 8 March	Decree-Law No. 363/2007 of 2 November	Decree-Law No. 172/2006 of 23 August
Abbreviated form	DL 34/2011	DL 363/2007	DL 172/2006
Entry into force	22.04.2011	31.01.2008	24.08.2006
Last amended on	19.02.2013	19.02.2013	08.10.2012
Future amendments			
Purpose	This decree-law establishes the legal framework for RES-E generation by small power plants (miniproduction units).	DL 363/2007 establishes the legal framework for electricity generated by 'microproduction units'. Its amending act (DL 118-A/2010) simplifies this framework.	DL 172/2006 provides the principles governing the organisation and operation of the national electricity grid system as set by DL 29/2006.
Relevance for renewable energy	<p>This decree-law establishes the legal framework for renewable energy generation by small power plants (miniproduction units),</p> <p>A miniproduction unit is defined as an installation that uses a single production technology and has a capacity of up to 250 kW (art. 1 DL 34/2011).</p>	<p>This decree-law establishes the legal framework for renewable energy generation by 'microproduction units'.</p> <p>A microproduction unit is defined as an installation that uses a single production technology and a single-phase or three-phase load operating at low voltage and has a capacity of up to 5.75 kW (art. 3 of DL 118-A/2010).</p>	This decree-law promotes renewable energy by establishing special provisions.



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<p><b>Link to full text of legal source (original language)</b></p>	<p><a href="http://dre.pt/pdf1sdip/2011/03/04700/0131601325.pdf">http://dre.pt/pdf1sdip/2011/03/04700/0131601325.pdf</a></p> <p>Official link to the amending decree:</p> <p>DL 25/2013:</p> <p><a href="http://dre.pt/pdf1sdip/2013/02/03500/0103701058.pdf">http://dre.pt/pdf1sdip/2013/02/03500/0103701058.pdf</a></p>	<p>DL363/2007:</p> <p><a href="http://dre.pt/pdf1sdip/2007/11/21100/0797807984.pdf">http://dre.pt/pdf1sdip/2007/11/21100/0797807984.pdf</a></p> <p>Official link to amending decrees:</p> <p>DL 118-A/2010:</p> <p><a href="http://dre.pt/pdf1sdip/2010/10/20701/0000200015.pdf">http://dre.pt/pdf1sdip/2010/10/20701/0000200015.pdf</a></p> <p>DL 25/2013:</p> <p><a href="http://dre.pt/pdf1sdip/2013/02/03500/0103701058.pdf">http://dre.pt/pdf1sdip/2013/02/03500/0103701058.pdf</a></p>	<p>DL 172/2006:</p> <p><a href="http://dre.pt/pdf1sdip/2006/08/16200/61186156.pdf">http://dre.pt/pdf1sdip/2006/08/16200/61186156.pdf</a></p> <p>Official link to amending decree:</p> <p>DL 215-B/2012:</p> <p><a href="http://dre.pt/pdf1sdip/2012/10/19401/0004500133.pdf">http://dre.pt/pdf1sdip/2012/10/19401/0004500133.pdf</a></p>
<p><b>Link to full text of legal source (English)</b></p>	<p><a href="http://dre.pt/sug/1s/diplomas_resumo.asp?id=20110422&amp;lang=en">http://dre.pt/sug/1s/diplomas_resumo.asp?id=20110422&amp;lang=en</a></p> <p>Official English summary</p>	<p>The English version is an unofficial translation of the consolidated version of the Decree-Law No. 363/2007, which has been changed by Decree-Law No. DL 118-A/2010.</p> <p><a href="http://res-legal.de/fileadmin/translations/Microgeneration_Portugal_EN.doc">http://res-legal.de/fileadmin/translations/Microgeneration_Portugal_EN.doc</a></p>	

### Further information

Institution (name)	Website	Name of contact	Telephone number (head)	E-mail (optional)
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		person (optional)	office)	
<b>Ministério da Economia, da Inovação e do Desenvolvimento. Direcção Geral de Energia e Geologia (DGEG) – Directorate General for Energy and Geology at the Ministry of Economy, Innovation and Development</b>	<a href="http://www.dgeg.pt/">http://www.dgeg.pt/</a>		+351 217 922 782	<a href="mailto:Racionalizacao.Energia@dgge.pt">Racionalizacao.Energia@dgge.pt</a>
<b>Entidade Reguladora dos Serviços Energéticos (ERSE) – Energy Services Regulatory Authority</b>	<a href="http://www.erse.pt/pt/Paginas/home.aspx">http://www.erse.pt/pt/Paginas/home.aspx</a>		+351 213 033 200	<a href="mailto:erse@erse.pt">erse@erse.pt</a>
<b>Agência para a Energia (ADENE) – Energy Agency</b>	<a href="http://www.adene.pt/pt-pt/Paginas/welcome.aspx">http://www.adene.pt/pt-pt/Paginas/welcome.aspx</a>		+351 214 722 800	<a href="mailto:geral@adene.pt">geral@adene.pt</a>
<b>Portal das Energias Renováveis (PER) – Information Portal on Renewable Energy</b>	<a href="http://www.energiasrenovaveis.com/">http://www.energiasrenovaveis.com/</a>		+351 914 102 695	<a href="mailto:mail@energiasrenovaveis.com">mail@energiasrenovaveis.com</a>
<b>Rede Eléctrica Nacional, S.A. (REN) – Concession holder of the National Electricity Transmission Grid (RNT)</b>	<a href="http://www.ren.pt/">http://www.ren.pt/</a>		+ 351 210 013 500	



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EDP Distribuição – Main Distribution System Operator	<a href="http://www.edpdistribuicao.pt/pt/Pages/homepage.aspx">http://www.edpdistribuicao.pt/pt/Pages/homepage.aspx</a>		+351 210 021 610	
Associação de Energias Renováveis (APREN) – Portuguese Association of Renewable Energy	<a href="http://www.apren.pt/">http://www.apren.pt/</a>		+351 213 151 621	<a href="mailto:apren@apren.pt">apren@apren.pt</a>



## Grid issues

### Connection to the grid

<b>Abbreviated form of legal sources</b>	<ul style="list-style-type: none"> <li>• DL 189/88</li> <li>• DL 363/2007</li> <li>• DL 34/2011</li> </ul>	
<b>Contact Authority</b>	Rede Eléctrica Nacional (REN), EDP Distribuição	
<b>Overview</b>	<p>Operators of renewable energy plants are contractually entitled against the grid operator to connection of their plants to the grid. The grid operator is obligated to enter into a contract on connection to the grid ("obligation to enter into a contract", DL 118-A/2010 and articles 5 and 6 DL 34/2011).</p> <p><b>Entitled party.</b> The persons entitled are the plant operators (articles 5 and 6 DL 34/2011).</p> <p><b>Obligated party.</b> The companies obligated are the grid operators, namely the Transmission System Operator (Rede Eléctrica Nacional, S.A. - REN) and the Distribution System Operator (mainly EDP Distribuição). When connecting miniproduction units (installations using a single production technology and with a capacity of up to 250kW), the supplier is obliged to enter into contracts with the operators of renewable energy plants (art. 14 DL 34/2011).</p>	
<b>Procedure</b>	<b>Process flow</b>	<p>The operators of renewable energy plants are contractually entitled against the grid operator to connection of their plants to the grid. The grid operator is obligated to enter into a contract on connection to the grid ("obligation to enter into a contract"),..</p> <p>The operators of microproduction and miniproduction units may use simplified procedures, described in articles 13 and 14 DL 363/2007 amended by DL 118-A/2010 and articles 15 and 16 DL 34/2011, respectively. Microproduction units shall be registered at the Registration System for Microproduction (SRM) and Miniproduction units shall be registered at the Registration System for Miniproduction (SRMini). Both registries are</p>



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		managed by the DGEG (article 7 DL 363/2007 and article 7 DL 34/2011).
	<b>Deadlines</b>	Plants must be fully connected within 24 months after the grid operator's consent to connect them (Licence of Establishment). For hydro-electric stations and power plants with a capacity of up to 50 MVA, this period is 36 months. Operators of renewable energy plants may request an extension of the above-mentioned deadlines. Microproduction units are connected within 10 days after the grid operator is informed of the conclusion of the purchase contract (art. 19 DL 363/2007 amended by DL 118-A/2010). Miniproduction units are connected after the exploitation certificate is issued and within 10 days after the grid operator is informed of the conclusion of the purchase contract. (art. 21 DL 34/2011).
	<b>Obligation to inform</b>	The operators of renewable-energy-based microproduction units shall provide all the information requested by the DGEG, the supplier and the grid operator (art. 6 DL 34/2011).
<b>Priority to renewable energy</b>  <b>(qualitative criteria)</b>	( X ) Priority to renewable energy  ( X ) Non-discrimination	As a rule, connection to the grid shall be granted according to the principle of non-discrimination. Besides priority shall be given to electricity produced from renewable energy sources, except for hydro plants with an installed capacity exceeding 30 MW (Art. 33W of DL 172/2006 amended by DL 215-B/2012). The obligation to purchase all electricity produced under the Special Regime in the period it benefits from the FiT (art. 55 of DL 172/2006 amended by DL 215-B/2012) creates favourable conditions for the deployment of RES technologies.
<b>Capacity limits</b>  <b>(quantitative criteria)</b>	<p>The grid operators are obliged to comply with the following criteria and regulations when allocating grid capacity:</p> <ul style="list-style-type: none"> <li>• Plan for the expansion of the electricity grid</li> <li>• Investment plan Characteristics of the grid in question</li> </ul>	





	As regards miniproduction units, the grid operator may deny registration of new entrants when the total power injection into a grid substation exceeds the limit of 20% of the substation's capacity (art. 4 DL 34/2011).	
<b>Distribution of costs</b>		
	<b>State</b>	
	<b>Consumers</b>	
	<b>Grid operator</b>	
	<b>Plant operator</b>	The plant operator whose plant is to be connected to the grid shall establish an additional connection to the grid. This additional connection is deemed a part of the entire grid; yet, the plant operator shall bear the full costs (Annex I art. 3f. DL 189/88). If an operator of renewable energy plant intends to establish a connection to the grid and there is no capacity available, the plant operator shall wait for the grid to be upgraded or participate in the costs of the grid reinforcement. The operators of renewable-energy-based miniproduction units shall bear the costs of connection to the grid (art. 6 DL 34/2011). The operator of microproduction units shall also bear the costs of connection to the grid (art. 6 DL 363/2007).
	<b>European Union</b>	
	<b>Others</b>	
	<b>Distribution mechanism</b>	

Use of the grid



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<b>Abbreviated form of legal sources</b>	<ul style="list-style-type: none"> <li>DL 29/2006</li> </ul>	
<b>Contact Authority</b>	Rede Eléctrica Nacional (REN), EDP Distribuição	
<b>Overview</b>	<p>Operators of renewable energy plants are contractually entitled against the grid operator to the transmission of electricity. The grid operator is obligated to enter into a contract on use of the grid ("obligation to enter into a contract").</p> <p><b>Entitled party.</b> The persons entitled are the plant operators.</p> <p><b>Obligated party.</b> The companies obligated are the grid operators, namely the Transmission System Operator (Rede Eléctrica Nacional, S.A. - REN) and the Distribution System Operator (mainly EDP Distribuição). The Supplier is obliged to enter into contracts with operators of renewable-energy-based miniproduction units (art. 14 DL 34/2011).</p> <p>Operators of renewable energy plants might sell the electricity produced to the Supplier of Last Resort (EDP Serviço Universal) or to other trader (art. 20 DL 29/2006 amended by DL 215-A/2012).</p>	
<b>Procedure</b>	<b>Procedure</b>	Operators of renewable energy plants are contractually entitled against the grid operator to the transmission of electricity.
	<b>Deadlines</b>	deadlines maybe specified in the contractual terms.
	<b>Obligation to inform</b>	
<b>Priority to renewable energy</b>  <b>(qualitative criteria)</b>	( x ) Priority to renewable energy  ( x ) Non-discrimination	As a rule, use of the grid shall be granted according to the principle of non-discrimination. Besides, priority shall be given to electricity produced from renewable energy sources, except for hydro plants with an installed capacity exceeding 30 MW (Art. 33W of DL 172/2006 amended by DL 215-B/2012). Grid operators are obliged to purchase and transmit all electricity from renewable sources offered by RES-E producers. An autonomous entity (the Supplier of Last Resort) shall buy this electricity from the



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		producers.
<b>Curtailment</b>	Capacity limits may be imposed only if the maximum capacity of the grid is reached. In this case, the grid operator shall make the implementation of the grid expansion and the investment plan a priority. Unless the plan has already been implemented, the plant operator and the grid operator may conclude an agreement on limited electricity imports. The operators of renewable-energy-based miniproduction units may export to the grid up to 50% of the amount originally contracted with the Supplier (DL 34/2011).	
<b>Distribution of costs</b>		
	<b>State</b>	
	<b>Consumers</b>	
	<b>Grid operator</b>	
	<b>Plant operator</b>	
	<b>Others</b>	The electricity suppliers bear the costs for the use of the grid (art. 44 par. 2 DL 29/2006).
	<b>European Union</b>	
	<b>Distribution mechanism</b>	



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### Grid development

Abbreviated form of legal source	<ul style="list-style-type: none"> <li>DL 29/2006</li> <li>DL 215-A/2012</li> </ul>	
Contact Authority	<ul style="list-style-type: none"> <li>Rede Eléctrica Nacional (REN)</li> </ul>	
Overview	<ul style="list-style-type: none"> <li><b>General development of the grid.</b> Plant operators are not entitled to grid development. However, the grid operator has the general obligation to develop his grid). To this aim, the Transmission System Operator (RNT) drafts a development plan and submits it to the Minister of Economy, Innovation and Development, who is responsible for authorising this plan. The Transmission Grid Development and Investment Plan (PDIRT) shall contain information on the infrastructure to be constructed or modernized in the timeframe of the next ten years, as well as the investments to be done in the next three years and the timeline of activities (Art. 30 DL 29/2006 as amended by DL 215-A/2012).</li> </ul> <p><b>Entitled party.</b> Although RES-E producers are entitled against the grid operator to the connection of their plants, they are not entitled to the development of the grid.</p> <p><b>Obligated party.</b> The grid operator is not legally required to develop the grid. However, he shall prepare the National Transmission Grid Development and Investment Plan (PDIRT) and submit it to the Ministry of Economy, Innovation and Development for approval (art.30 of DL 29/2006).).</p>	
Procedure	Process flow	The Transmission System Operator shall submit a development plan to the Minister of Economy, Innovation and Development for authorisation.
	Enforcement of claims	
	Deadlines	
	Obligation to inform	
Regulatory incentives for grid expansion and innovation		



<b>Distribution of costs</b>		
	<b>State</b>	
	<b>Consumers</b>	The regulator includes the costs of already implemented grid upgrades in the charges to be paid by the final consumers. In other words, grid development costs are included a posteriori.
	<b>Grid operator</b>	In general, the grid operator shall bear the cost of a grid development.
	<b>Plant operator</b>	
	<b>European Union</b>	
	<b>Distribution mechanism</b>	Investment costs are taken into consideration when setting the tariff for the use of the grid.
<b>Grid studies</b>	<p>The National Transmission Grid Development and Investment Plan (PDIRT) for the period 2012-2017, available for public consultation from March to April 2011, can be downloaded from the Transmission System Operator's website. After public consultation, the final version was sent to the Directorate General for Energy and Geology at the Ministry of Economy, Innovation and Development. <u>The final version of the PDIRT 2012-2017 can be downloaded at:</u></p> <p><a href="http://www.centrodeinformacao.ren.pt/PT/publicacoes/Paginas/PlanoInvestimentoRNT.aspx">http://www.centrodeinformacao.ren.pt/PT/publicacoes/Paginas/PlanoInvestimentoRNT.aspx</a></p>	



## RES-H&C support schemes

### Summary of support schemes

<b>Overview</b>	The subsidy provided through the Energy Efficiency Fund ("Efficient Building 2012") to investments in solar thermal installations for heating water is closed for new applications and no support scheme for RES in the heating sector is currently in place (as of October 2013).
<b>Summary of support schemes</b>	•
<b>Technologies</b>	•
<b>Statutory provisions</b>	•



**Basic information on legal sources**

<b>Name of legal source</b> <b>(original language)</b>			
<b>Full name</b>			
<b>Name (English)</b>			
<b>Abbreviated form</b>			
<b>Entry into force</b>			
<b>Last amended on</b>			
<b>Future amendments</b>			
<b>Purpose</b>			
<b>Relevance for renewable energy</b>			
<b>Link to full text of legal source</b> <b>(original language)</b>			
<b>Link to full text of legal source</b>			



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(English)			
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## RES-LEGAL EUROPE – National Profile Portugal



### Further information

Institution (name)	Website	Name of contact person (optional)	Telephone number (head office)	E-mail (optional)
Agência para a Energia (Energy Agency – ADENE). Portuguese Energy Efficiency Fund (FEE)				



Support schemes

## RES-T support schemes

Summary of support schemes

<b>Overview</b>	In Portugal, there are two support schemes for the use of renewable energy sources in the transport sector: a tax exemption to small producers (PPDs) and a biofuel quota to companies supplying fuels for consumption in the market.
<b>Summary of support schemes</b>	<ul style="list-style-type: none"> <li>• <b>Tax regulation mechanism:</b> Small producers of biofuels (defined by DL 117/2010 as Dedicated Small Producers - PPDs) benefit from a total exemption of the Petrol Product Tax (ISP).</li> <li>• <b>Biofuel quota:</b> Companies supplying fuels for consumption shall incorporate a certain percentage of biofuels in the fuels they supply to the market from 2011 to 2020.</li> </ul>
<b>Technologies</b>	The tax regulation mechanism and the quota mechanism apply to biofuels only.
<b>Statutory provisions</b>	<ul style="list-style-type: none"> <li>• DL 117/2010 (Decreto-lei 117/2010 de 25 de Outubro) on the sustainability criteria for biofuels and the incentives for using biofuels in the transport sector and its amending act DL 6/2012 (Decreto-lei 6/2012 de 17 de Janeiro).</li> <li>• Order 301/2011 (Portaria 301/2011 de 2 de Dezembro) on the compensation to be paid for each TdB (Título de Biocombustível) missing.</li> <li>• Order 8/2012 (Portaria 8/2012 de 4 de Janeiro) on the functions of the Sustainability Criteria Compliance Coordination Entity (ECS) within the National Laboratory for Energy and Geology (LNEG).</li> <li>• Order 320-E/2011 (Portaria 320-E/2011 de 30 de Dezembro) on the procedures for the recognition of the Dedicated Small Producer of biofuel (PPD) and the application of tax exemption (ISP).</li> </ul>



## RES-LEGAL EUROPE – National Profile Portugal





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### Basic information on legal sources

<b>Name of legal source (original language)</b>	Decreto-lei 117/2010 de 25 de Outubro	Portaria 301/2011 de 2 de Dezembro	Portaria 8/2012 de 4 de Janeiro
<b>Full name</b>			
<b>Name (English)</b>	Decree-law 117/2010 of 25 October	Order 301/2011 of 2 December	Order 8/2012 of 4 January
<b>Abbreviated form</b>	DL 117/2010	Order 301/2011	Order 8/2012
<b>Entry into force</b>	01.01.2011	03.12.2011	5.01.2012
<b>Last amended on</b>	18.01.2012		
<b>Future amendments</b>			
<b>Purpose</b>	This Decree-law defines the sustainability criteria for biofuels and creates incentives for using biofuels in the transport sector.	This Order sets the compensation to be paid for each TdB (Título de Biocombustível) missing, as provided in DL 117/2010.	This Order sets the functions of the Sustainability Criteria Compliance Coordination Entity (ECS, Entidade Coordenadora do Cumprimento dos Critérios de Sustentabilidade) within the National Laboratory for Energy and Geology (LNEG).
<b>Relevance for renewable energy</b>	This Decree-law defines the sustainability criteria for biofuels and sets mandatory	This Order sets the compensation to be paid for each TdB (Título de	The ECS is responsible for the verification of the compliance with the sustainability



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	blending targets for biofuels in the transport sector.	Biocombustível) missing, as provided in DL 117/2010.	criteria for biofuels provided by DL 117/2010, as well as the issuance of TdBs.
<b>Link to full text of legal source (original language)</b>	<a href="http://dre.pt/pdf1sdip/2010/10/20700/0478204795.pdf">http://dre.pt/pdf1sdip/2010/10/20700/0478204795.pdf</a>	<a href="http://dre.pt/pdf1sdip/2011/12/23100/0519005190.pdf">http://dre.pt/pdf1sdip/2011/12/23100/0519005190.pdf</a>	<a href="http://dre.pt/pdf1sdip/2012/01/00300/0002800036.pdf">http://dre.pt/pdf1sdip/2012/01/00300/0002800036.pdf</a>
<b>Link to full text of legal source (English)</b>	Summary: <a href="http://www.dre.pt/sug/1s/diplomas_resumo.asp?id=20102619&amp;lang=en&amp;p=dia">http://www.dre.pt/sug/1s/diplomas_resumo.asp?id=20102619&amp;lang=en&amp;p=dia</a>		



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<b>Name of legal source (original language)</b>	Portaria 320-E/2011 de 30 de Dezembro		
<b>Full name</b>			
<b>Name (English)</b>	Order 320-E/2011 of 30 December		
<b>Abbreviated form</b>	Order 320-E/2011		
<b>Entry into force</b>	30.12.2011 (retroactive effects from 01.01.2011 onwards)		
<b>Last amended on</b>			
<b>Future amendments</b>			
<b>Purpose</b>	This Order establishes the procedures for the recognition of the Dedicated Small Producer of biofuel (PPD) and the application of tax exemption (ISP).		
<b>Relevance for renewable energy</b>	This Order establishes the procedures for the tax exemption (ISP) to Dedicated Small Producers of biofuels (PPDs).		
<b>Link to full text of legal source (original language)</b>	<a href="http://dre.pt/pdf1sdip/2011/12/25003/0028900290.pdf">http://dre.pt/pdf1sdip/2011/12/25003/0028900290.pdf</a>		
<b>Link to full text of legal source (English)</b>			



**Further information**

Institution (name)	Website	Name of contact person (optional)	Telephone number (head office)	E-mail (optional)
DGEG: Direcção Geral de Energia e Geologia do Ministério da Economia, da Inovação e do Desenvolvimento (MEID) – Directorate General for Energy and Geology at the Ministry of Economy, Innovation and Development	<a href="http://www.dgeg.pt/">http://www.dgeg.pt/</a>		+ 351 217 922 700 + 351 217 922 800	<a href="mailto:energia@dgeg.pt">energia@dgeg.pt</a>
APREN: Associação de Energias Renováveis – Portuguese Association of Renewable Energy	<a href="http://www.apren.pt/">http://www.apren.pt/</a>		+351 213 151 621	<a href="mailto:apren@apren.pt">apren@apren.pt</a>
Portal das Energias Renováveis (information portal on renewable energy)	<a href="http://www.energiasrenovaveis.com">http://www.energiasrenovaveis.com</a>		+351 914 102 695	<a href="mailto:mail@energiasrenovaveis.com">mail@energiasrenovaveis.com</a>



### Support schemes

#### Tax regulation mechanism (Isenção de Imposto sobre Produtos Petrolíferos e Energéticos - ISP)

<b>Abbreviated form of legal source(s)</b>	<ul style="list-style-type: none"> <li>• DL 117/2010.</li> <li>• Order 320-E/2011.</li> </ul>	
<b>Contact Authority</b>	Directorate General for Energy and Geology (DGEG)	
<b>Summary</b>	<p>According to the Portuguese NREAP, biofuel producers benefited from an exemption of the Petrol Product Tax (ISP) from 2007 to 2010. The exemption was regulated by Order 1391-A/2006 and Order 1554-A/2007. Currently, this tax exemption is no longer applicable to large producers and only applies to dedicated small producers (PPD) as defined by art. 19(2) DL 117/2010. In this case, the biofuels entitlements (Título de Biocombustível, TdBs) generated by the PPD's production revert to the Directorate General for Energy and Geology (DGEG) at the Ministry of Economy, Innovation and Development. The TdBs can be auctioned and the revenues revert to the Energy Efficiency Fund (art. 19(3), (4) DL 117/2010).</p>	
<b>Eligible technologies</b>	<b>General information</b>	Biofuels produced by dedicated small producers (PPD, Pequenos Produtores Dedicados) benefit from tax exemption.
	<b>Biofuels</b>	Eligible (art. 19(1) DL 117/2010).
	<b>Electricity</b>	
	<b>Hydrogen</b>	
<b>Amount</b>	<p>According to art. 2(9) Order 320-E/2011, the PPDs benefit from total exemption of the Petrol Product Tax (ISP) up to the global limit fixed at art. 90(1) of the IEC Code (Código dos Impostos Especiais de Consumo), which is 40.000 t/year (art. 90 of the IEC Code (DL 73/2010) amended by Law 55-A/2010).</p>	





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	<p>For petrol and coloured and marked petrol, is the following ISP rates apply (articles 3 and 4 of Order 320-D/2011):</p> <ul style="list-style-type: none"> <li>Petrol (NC 27101921 and NC 27101925): 0,337 €/liter.</li> <li>Coloured and marked Petrol (NC 27101925): 0,113 €/liter.</li> </ul>	
<b>Addressees</b>	Dedicated small producers of biofuels (PPD) as defined by art. 19(2) DL 117/2010.	
<b>Procedure</b>	<b>Process flow</b>	The producers (PPDs) submit to the DGEG a request and indicate the amount of biofuel for which the tax exemption (ISP) is being requested (art. 2 Order 320-E/2011). A joint decision, which is automatically and annually renewed, sets the amount of biofuels subject to the tax exemption. Annex I of Order 320-E/2011 lists the documents to be provided by the producers when applying for the recognition as a dedicated small producer (PPD).
	<b>Competent authority</b>	Directorate General for Energy and Geology (DGEG).
<b>Flexibility Mechanism</b>		
<b>Distribution of costs</b>	<b>State</b>	The costs of tax exemption are borne by the State
	<b>Consumers</b>	
	<b>Plant operator</b>	
	<b>Grid operator</b>	
	<b>European Union</b>	



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	Distribution mechanism	
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### Biofuel quota

<b>Abbreviated form of legal source(s)</b>	<ul style="list-style-type: none"> <li>• DL 117/2010 and its amending act DL 6/2012</li> <li>• Order 301/2011</li> <li>• Order 8/2012</li> </ul>	
<b>Contact Authority</b>	Directorate General for Energy and Geology (DGEG)	
<b>Summary</b>	Companies introducing fuels for consumption shall incorporate a certain percentage of biofuels in the fuels they supply to the market. DL 117/2010 sets the percentage of biofuels that shall be incorporated from 2011 to 2020.	
<b>Eligible technologies</b>	<b>General information</b>	Obligation to incorporate biofuels in the fuels provided for consumption from 2011 to 2020.
	<b>Biofuels</b>	Eligible (art. 1(1) e DL 117/2010).
	<b>Electricity</b>	
	<b>Hydrogen</b>	
<b>Amount</b>	<b>Amount of quota and period of application</b>	<p>Generally, companies introducing fuels for consumption shall incorporate the following percentage of biofuels, in energy content, relative to the quantity of fuel they supply to the market (art. 11 DL 117/2010 amended by DL 6/2012):</p> <ul style="list-style-type: none"> <li>• 2011 and 2012 — 5.0%;</li> <li>• 2013 and 2014 — 5.5%;</li> <li>• 2015 and 2016 — 7.5%;</li> <li>• 2017 and 2018 — 9.0%;</li> <li>• 2019 and 2020 — 10.0%.</li> </ul> <p>There is also the specific obligation to incorporate 2.5% of biofuels that replace gasoline, in energy content, relative to the quantity of</p>



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		<p>gasoline supplied to the market in the years 2015-2020 (art. 11(3) DL 117/2010).</p> <p>Additionally, these companies shall incorporate by the end of 2014, a minimum of 6.75% (v/v) of biodiesel (specified by EN 14214) in the diesel provided for consumption (art. 28 DL 117/2010).</p>
	<b>Adjustment of quotas</b>	The quotas are already defined for the years 2011 to 2020.
	<b>Fees and penalty charges</b>	If the above-mentioned companies do not meet the quotas provided for in articles 11 and 28 DL 117/2010, they are subject to the payment of a compensation (art. 24 DL 117/2010). The amount to be paid is 2,000 € per unit of biofuel entitlement (TdB) missing. Each TdB represents 1 TOE (art. 13 DL 117/2010). The amount to be paid shall be reviewed before 31 December 2014 (art. 1 Order 301/2011).
<b>Addressees</b>	Companies that supply fuels for consumption (art. 11 DL 117/2010 amended by DL 6/2012).	
<b>Procedure</b>	<b>Process flow</b>	<p>DL 117/2010 sets a system with the issuance of biofuels entitlements (Título de Biocombustível, TdB) to verify the compliance with the blending targets. The TdBs are tradable units and provide an alternative way to fulfill the targets. The TdBs are valid for 2 years (art. 13 DL 117/2010) and the criteria and information required for the emission of the TdBs are listed in article 15 to 17 DL 117/2010.</p> <p>The companies introducing fuels for consumption shall sent to the Directorate General for Energy and Geology (DGEG) the TdBs of the biofuels incorporated in the year before. Afterwards, the DGEG cancels the TdBs (art. 18 DL 117/2010).</p>



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	<b>Competent authority</b>	<p>The National Laboratory for Energy and Geology (LNEG) verifies the compliance with the sustainability criteria (beginning January 2013, art. 3 DL 6/2012) and the DGEG supervises the procedure (arts. 20 and 22 DL 117/2010). Order 8/2012 sets the functions of the Sustainability Criteria Compliance Coordination Entity (ECS, Entidade Coordenadora do Cumprimento dos Critérios de Sustentabilidade) within the LNEG.</p> <p>According to art. 23 DL 117/2010, the DGEG will notify the European Commission every two years (starting in 2013) of the amounts of biofuels incorporated in the previous years.</p>
<b>Flexibility Mechanism</b>		
<b>Distribution of costs</b>	<b>State</b>	
	<b>Consumers</b>	The costs are borne by the consumers.
	<b>European Union</b>	
	<b>Others</b>	
	<b>Distribution mechanism</b>	The obliged companies pass the costs arising from the quota obligation to the consumers. However, in order to maintain an acceptable cost to the consumer, Order 41/2011 established a formula for calculating the maximum selling price of biodiesel that can be practiced by producers when selling their production to the



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		companies obliged to incorporate biodiesel.
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## Policies

### Summary of policies

<p><b>Overview</b></p>	<p>In Portugal, the government has set a fund to finance research and projects on innovation and technological development in the field of renewable energy, as well as has started campaigns to raise awareness on RES issues. With regards to policies in the building sector, the obligation to use solar thermal collectors for sanitary hot water and other regulations on the certification of performance and durability of installations and components are in place. In addition, training programmes for installers of RES plants are already part of the education system.</p>
<p><b>Summary of policies</b></p>	<ul style="list-style-type: none"> <li>• <b>Training programs for installers.</b> Many institutions offer professional training for installers of solar thermal installations. Additionally, within the scope of the National Qualification System, there is also the professional course of technician of renewable energy which can be specialised on the installation of solar thermal or photovoltaic installations, wind energy plants or bioenergy plants.</li> <li>• <b>Certification of RES installations.</b> Where solar thermal installations are used, the performance and durability of the installation and its components must be certified by an accredited entity.</li> <li>• <b>Exemplary role of Public Authorities.</b> The State Energy Efficiency Programme sets measures on the use of energy in public buildings, with an emphasis on the certification of energy efficiency in public buildings, the installation of solar thermal installations for sanitary hot water, and the installation of microproduction plants in public schools.</li> <li>• <b>RD&amp;D policies.</b> There are incentives for research and projects on innovation and technological development in the field of renewable energy.</li> <li>• <b>RES-H building obligations.</b> There is the obligation to use solar thermal collectors for sanitary hot water in new buildings and buildings undergoing major interventions. Other forms of RES can be used as an alternative to solar thermal collectors, as well as for other purposes if they are more efficient or convenient.</li> </ul>
<p><b>Technologies</b></p>	<ul style="list-style-type: none"> <li>• <b>Training programs for installers.</b> Mainly solar thermal. However, the professional course of technician of renewable energy covers solar thermal or photovoltaic, wind and bioenergy.</li> </ul>



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	<ul style="list-style-type: none"> <li>• <b>Certification of RES installations.</b> Mainly solar thermal.</li> <li>• <b>Exemplary role of Public Authorities.</b> Mainly solar thermal installations, but wind energy is also mentioned in case of microproduction in public schools.</li> <li>• <b>RD&amp;D policies.</b> The campaign to disseminate information on RES covers solar, photovoltaic, wind, biomass, geothermal, and wave.</li> <li>• <b>RES-H building obligations.</b> Mainly solar thermal. However, other forms of RES can be used as an alternative (photovoltaic, wind, biomass, geothermal, wave).</li> </ul>
Statutory provisions	<ul style="list-style-type: none"> <li>• DL 78/2006 (Decreto-lei 78/2006 de 4 de Abril).</li> <li>• DL 80/2006 (Decreto-lei 80/2006 de 4 de abril).</li> <li>• DL 118/2013 (Decreto-Lei 118/2013 de 20 de Agosto), which transposes Directive 2010/31/EU into national law.</li> <li>• Order 32276-A/2008 (Despacho 32276-A/2008 de 17 de Dezembro) on the Fund to Support Innovation (FAI).</li> <li>• RCM 80/2008 (Resolução do Conselho de Ministros n.º 80/2008) on the National Energy Efficiency Action Plan (PNAEE).</li> <li>• RCM 29/2010 (Resolução do Conselho de Ministros n.º 29/2010) on the National Energy Strategy (ENE) 2020.</li> <li>• RCM 2/2011 (Resolução do Conselho de Ministros n.º 2/2011) on the Program for Energy Efficiency in the Public Administration (ECO.AP). Ordinance 60/2013 (Portaria 60/2013 de 05 de fevereiro) approved the requirements for contracts under the ECO.AP Program.</li> <li>• Order 394/2004 (Portaria 394/2004 de 19 de Abril) on the rules for the implementation of the MAPE (Measure to Support the Harnessing of Energy Potential and Rationalisation of Consumption)</li> <li>• Order 1451/2004 (Portaria 1451/2004 de 26 de Novembro) on the rules for the issuance of the Professional Aptitude Certificate (PAC) and the approval of training courses to installers of solar thermal installations.</li> <li>• Order 944/2005 (Portaria 944/2005 de 28 de Setembro) on the professional course of technician of renewable energy.</li> </ul>





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### Basic information on legal sources

<b>Name of legal source (original language)</b>	Decreto-lei 78/2006 de 4 de Abril	Decreto-lei 80/2006 de 4 de Abril	Despacho 32276-A/2008 de 17 de Dezembro
<b>Full name</b>			
<b>Name (English)</b>	Decree-law 78/2006 of 4 April	Decree-law 80/2006 of 4 April	Order 32276-A/2008 of 17 December
<b>Abbreviated form</b>	DL 78/2006	DL 80/2006	Order 32276-A/2008
<b>Entry into force</b>	04.04.2006	03.07.2006	05.12.2008
<b>Last amended on</b>			
<b>Future amendments</b>	DL 118/2013 of 20 August 2013 will repeal provisions from DL 78/2006 when entering in force on 1 January 2014.	DL 118/2013 of 20 August 2013 will repeal provisions from DL 80/2006 when entering in force on 1 January 2014.	
<b>Purpose</b>	This Decree-law partially transposes Directive 2002/91/EC on the energy performance of buildings into the Portuguese national order.	This Decree-law sets the Regulation for the Characteristics of the Thermal Behaviour of Buildings (RCCTE).	This Order establishes the Fund to Support Innovation (Fundo de Apoio à inovação - FAI).
<b>Relevance for renewable energy</b>	This Decree-law sets the National System for Energy Certification and Interior Air Quality in Buildings (SCE).	The RCCTE introduces the obligation to use solar thermal collectors for heating water in buildings addressed under DL 80/2006.	The FAI aims to promote research and support projects of innovation and technological development, primarily in the field of renewable energy (art. 3).
<b>Link to full text of legal source (original language)</b>	<a href="http://dre.pt/pdf1sdip/2006/04/067A00/24112415.pdf">http://dre.pt/pdf1sdip/2006/04/067A00/24112415.pdf</a>	<a href="http://dre.pt/pdf1sdip/2006/04/067A00/24682513.pdf">http://dre.pt/pdf1sdip/2006/04/067A00/24682513.pdf</a>	<a href="http://ftp.infoeuropa.euroid.pt/databas/e/000045001-000046000/000045691.pdf">http://ftp.infoeuropa.euroid.pt/databas/e/000045001-000046000/000045691.pdf</a>



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<b>Link to full text of legal source (English)</b>			
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<b>Name of legal source (original language)</b>	Resolução do Conselho de Ministros n.º 20/2013		Resolução do Conselho de Ministros n.º 2/2011
<b>Full name</b>			
<b>Name (English)</b>	Cabinet Resolution RCM 20/2013		Cabinet Resolution RCM 2/2011
<b>Abbreviated form</b>	RCM 20/2013		RCM 2/2011
<b>Entry into force</b>	10.04.2013		12.01.2011
<b>Last amended on</b>			
<b>Future amendments</b>			
<b>Purpose</b>	This Resolution approves the National Energy Efficiency Action Plan (PNAEE) for the period 2013-2016, which integrates policies and measures on energy efficiency.		This Resolution establishes the Programme for Energy Efficiency in the Public Administration (Programa de Eficiência Energética na Administração Pública - ECO.AP). In addition, Ordinance 60/2013 approved the requirements for contracts under the ECO.AP Program.
<b>Relevance for renewable energy</b>	The Plan aims to achieve by 2015 a 10% increase (in terms of energy efficiency) in the final energy consumption.		The programme refers to a set of energy efficiency measures to be implemented in governmental agencies



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			and services in order to promote the rational use of energy.
Link to full text of legal source (original language)	<a href="http://dre.pt/pdf1sdip/2008/05/09700/0282402865.pdf">http://dre.pt/pdf1sdip/2008/05/09700/0282402865.pdf</a>		<a href="http://dre.pt/pdf1sdip/2011/01/00800/0027000271.pdf">http://dre.pt/pdf1sdip/2011/01/00800/0027000271.pdf</a>  Official link to Ordinance 60/2013: <a href="http://dre.pt/pdf2sdip/2013/02/025000000/0551605516.pdf">http://dre.pt/pdf2sdip/2013/02/025000000/0551605516.pdf</a>
Link to full text of legal source (English)			

Name of legal source (original language)	Portaria 394/2004 de 19 de Abril	Portaria 1451/2004 de 26 de Novembro	Portaria 944/2005 de 28 de Setembro
Full name			
Name (English)	Order 394/2004	Order 1451/2004 of 26 November	Order 944/2005 of 28 September
Abbreviated form	Order 394/2004	Order 1451/2004	Order 944/2005
Entry into force	19.04.2004	06.12.2004	07.09.2005
Last amended on			
Future amendments			
Purpose	This Order sets the rules for the implementation of the MAPE (Medida de Apoio ao Aproveitamento do Potencial	This Order establishes the conditions for the issuance of the Professional Aptitude Certificate (PAC) and for the approval of	This Order creates the professional course of technician of renewable



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	Energético - Measure to Support the Harnessing of Energy Potential and Rationalisation of Consumption).	training courses to installers of solar thermal installations.	energy.
<b>Relevance for renewable energy</b>	The MAPE aims to support the production of electric and thermal energy that use renewable sources (art. 2).	Order 1451/2004 regulates the certification of technicians who install solar thermal installations.	The technicians can be specialised on the installation of solar thermal or photovoltaic installations, wind energy plants or bioenergy plants.
<b>Link to full text of legal source (original language)</b>	<a href="http://dre.pt/pdf1sdip/2004/04/092B00/23582368.pdf">http://dre.pt/pdf1sdip/2004/04/092B00/23582368.pdf</a>	<a href="http://dre.pt/pdf1sdip/2004/11/278B00/69066909.pdf">http://dre.pt/pdf1sdip/2004/11/278B00/69066909.pdf</a>	<a href="http://dre.pt/pdf1sdip/2005/09/187B00/58625865.pdf">http://dre.pt/pdf1sdip/2005/09/187B00/58625865.pdf</a>
<b>Link to full text of legal source (English)</b>			

<b>Name of legal source (original language)</b>	Decreto-Lei 118/2013 de 20 de Agosto		
<b>Full name</b>			
<b>Name (English)</b>	Decree-Law 118/2013 of 20 August		
<b>Abbreviated form</b>	DL 118/2013		
<b>Entry into force</b>	01.01.2014		
<b>Last amended on</b>			
<b>Future amendments</b>			



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<b>Purpose</b>	This Decree-law transposes Directive 2010/31/EU on the energy performance of buildings into the Portuguese national order and merged the sparse legislation on energy certification and energy performance in buildings into one piece of legislation in order to harmonize terminologies and simplify rules.		
<b>Relevance for renewable energy</b>	It regulates the obligation to use solar thermal collectors for heating water in new buildings and buildings undergoing major interventions as well as sets rules for "nearly zero-energy buildings".		
<b>Link to full text of legal source (original language)</b>	<a href="http://dre.pt/pdf1sdip/2013/08/15900/0498805005.pdf">http://dre.pt/pdf1sdip/2013/08/15900/0498805005.pdf</a>		
<b>Link to full text of legal source (English)</b>			

Further information

Institution (name)	Website	Name of contact person (optional)	Telephone number (head office)	E-mail (optional)
DGEG: Direcção Geral de Energia e Geologia do Ministério da Economia, da Inovação e do Desenvolvimento (MEID) – Directorate General for Energy and Geology at the Ministry of Economy, Innovation and Development	<a href="http://www.dgeg.pt/">http://www.dgeg.pt/</a>		+351 217 922 700 +351 217 922 800	<a href="mailto:energia@dgge.pt">energia@dgge.pt</a>
ADENE: Agência para a Energia - Energy Agency	<a href="http://www.adene.pt/pt-pt/Paginas/welcome.aspx">http://www.adene.pt/pt-pt/Paginas/welcome.aspx</a>		+351 214 722 800	<a href="mailto:geral@adene.pt">geral@adene.pt</a>
CERTIF: Associação para a Certificação - Association for Certification	<a href="http://www.certif.pt/">http://www.certif.pt/</a>		+351 212 586 940	<a href="mailto:Mail@certif.pt">Mail@certif.pt</a>
ANQEP: Agência Nacional para a Qualificação e o Ensino Profissional - National Agency for Qualification and	<a href="http://www.anqep.gov.pt/default.aspx">http://www.anqep.gov.pt/default.aspx</a>		+351 213 943 700	<a href="mailto:anqep@anqep.gov.pt">anqep@anqep.gov.pt</a>



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Vocational Education and Training				
Portal SCE (homepage of the National System for Energy Certification and Interior Air Quality in Buildings)	<a href="http://www.adene.pt/pt-PT/Subportais/SCE/Paginas/default.aspx">http://www.adene.pt/pt-PT/Subportais/SCE/Paginas/default.aspx</a>			<a href="mailto:sce@adene.pt">sce@adene.pt</a>
Plataforma Casa Certificada - Certified House Platform	<a href="http://www.casacertificada.pt/">http://www.casacertificada.pt/</a>			<a href="mailto:mail@casacertificada.pt">mail@casacertificada.pt</a>
FAI: Fundo de Apoio à inovação - Fund to Support Innovation	<a href="http://fai.pt/">http://fai.pt/</a>			<a href="mailto:geral@fai.pt">geral@fai.pt</a>



## Policy categories

### Training programmes for Installers

<b>Abbreviated form of legal source(s)</b>	<ul style="list-style-type: none"> <li>• Order 1451/2004</li> <li>• Order 944/2005</li> </ul>
<b>Sector</b>	Electricity, Heating & Cooling
<b>Contact Authority</b>	National Qualifications Agency, Directorate General for Energy and Geology (DGEG)
<b>Description</b>	<p>Order 1451/2004 sets the conditions for the approval of training programs for installers of solar thermal installations, as well as the requirements for the issuance of the Professional Aptitude Certificate (PAC) to the professionals that work as installers. The PAC is valid for a period of 3 years (art. 13 Order 1451/2004) and the conditions for the renewal of the certificate are listed in art. 14 Order 1451/2004.</p> <p>Additionally, within the scope of the National Qualifications System, Order 944/2005 lists the main activities to be performed by professionals qualified as technicians of renewable energy plants and installations, who might be specialised on the installation of solar thermal or photovoltaic installations (annex II), wind energy plants (annex III), or bioenergy plants (annex IV).</p>
<b>Addressees</b>	Training institutions and those interested in the above-mentioned training courses.
<b>Competent authority</b>	According to the Portuguese NREAP, at the national level, the body responsible for identifying and defining professional profiles (including the ones mentioned by Directive 2009/28/EC) is the National Qualifications Agency, which works with specialised sectorial bodies, such as the Directorate General for Energy and Geology (DGEG). The DGEG is in charge of the certification of professional categories and also acts as the certifying authority for the Professional Aptitude Certificate (PAC).
<b>Further information</b>	The list of institutions offering training programs to obtain the Professional Aptitude Certificate (PAC) as installer of solar thermal installations and as technician of renewable energy plants and installations is available at the DGEG homepage under "Certificação





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	<p>Profissional": <a href="http://www.dgeg.pt/">www.dgeg.pt/</a></p> <p>In addition, the National Laboratory for Energy and Geology (LNEG) offers training programs for designers of solar thermal installations, for installers of solar thermal installations, and for experts (perito qualificado) as defined by DL 78/2006: <a href="http://www.lneg.pt/servicos/43/">http://www.lneg.pt/servicos/43/</a></p> <p>General information on professional training in Portugal is available at the National Agency for Qualification and Vocational Education and Training (ANQEP): <a href="http://www.anqep.gov.pt/default.aspx">http://www.anqep.gov.pt/default.aspx</a></p> <p>The National Qualifications Catalogue of the ANQEP is available at: <a href="http://www.catalogo.anqep.gov.pt/Qualificacoes?Page=2&amp;Designacao=&amp;AreasFormacaoId=64&amp;CodigoArea=&amp;Nivel=&amp;RVCC=false">http://www.catalogo.anqep.gov.pt/Qualificacoes?Page=2&amp;Designacao=&amp;AreasFormacaoId=64&amp;CodigoArea=&amp;Nivel=&amp;RVCC=false</a></p>	
Distribution of costs	State	
	Private Financing	The installers of solar thermal installations and the technicians of renewable energy plants and installations have to bear the costs for the training.
	European Union	
	Others	



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### Certification Programmes for RES installations

<b>Abbreviated form of legal source(s)</b>	<ul style="list-style-type: none"> <li>Order 394/2004 (Solar Thermal Installations)</li> </ul>
<b>Sector</b>	Heating & Cooling
<b>Contact Authority</b>	Directorate General for Energy and Geology (DGEG), Energy Agency (ADENE)
<b>Description</b>	Where solar thermal installations are used, the performance and durability of the installation and its components must be certified by an accredited entity (art. 11(9) Order 394/2004), namely CERTIF (Association for Certification). The Portuguese NREAP highlights that solar thermal installations must have a label with the Solar Keymark certification, confirming their compliance with EU rules.
<b>Addressees</b>	With regards to the certification of solar thermal installations, the manufacturer of the product is addressed.
<b>Competent authority</b>	With regards to the certification of solar thermal installations, the body responsible for the national certification is CERTIF (Association for Certification). CERTIF works with national and international laboratories and one of the accredited laboratories in Portugal is the National Laboratory for Energy and Geology (LNEG).
<b>Further information</b>	<p>Information on the certification of solar thermal systems (in Portuguese):</p> <p>Água Quente Solar: <a href="http://www.aguaquentesolar.com/observatorio/equipamentos/index.asp">http://www.aguaquentesolar.com/observatorio/equipamentos/index.asp</a></p> <p>Folder "Certificação de Equipamentos Solares Térmicos":  <a href="http://www.aguaquentesolar.com/publicacoes/3/certificacaoEquipamentos.pdf">http://www.aguaquentesolar.com/publicacoes/3/certificacaoEquipamentos.pdf</a></p>



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	LNEG: <a href="http://www.lneg.pt/servicos/42/">http://www.lneg.pt/servicos/42/</a>	
Distribution of costs	State	
	Industry	With regards to the certification of solar thermal installations, the manufacturers of the products bear the certification costs.
	System Producers	
	European Union	
	Others	



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### Exemplary role of public authorities in accordance with Art. 13 Abs, 5 RES Directive

<b>Abbreviated form of legal source(s)</b>	<ul style="list-style-type: none"> <li>RCM 20/2013 (PNAEE 2016)</li> <li>RCM 2/2011 and Ordinance 60/2013 (ECO.AP)</li> </ul>
<b>Sector</b>	Electricity, Heating & Cooling
<b>Contact Authority</b>	Directorate General for Energy and Geology (DGEG)
<b>Description</b>	<p>The National Energy Efficiency Action Plan (PNAEE) for the period 2013-2016 was approved by RCM 20/2013 of 10 April 2013. The reviewed plan continues to emphasize the role played by the ECO.AP Program. RCM 2/2011 established the Energy Efficiency Programme in Public Administration (Programa de Eficiência Energética na Administração Pública, also known as ECO.AP), which refers to a set of energy efficiency measures to be implemented in governmental bodies and services. The Programme aims to change behaviour and promote the rational use of energy by hiring energy service companies (ESCOs). The Programme expects to achieve by 2020 a 30% improvement in energy efficiency in public services, equipments, and public administration bodies. The initial target set by RCM 2/2011 was 20%, but the target was increased (RCM 67/2012) and is currently 30%. Decree-law 29/2011 set the legal framework for the contracts concluded between the Public Administration and the energy service companies and Order 15/2012 of 3 July 2012 approved the Regulation of the Qualification System of the Energy Services Companies (SQESE). In February 2013, the Portuguese government approved the requirements for contracts under the Program. Ordinance 60/2013 (Portaria 60/2013) of the Ministry of Finance and the Ministry of Economy and Employment sets procedures and responsibilities for public contracts and energy service companies (ESCOs). Among the specifications set by Ordinance 60/2013, contracts normally have a maximum term of 16 years, with exemptions to contracts where energy is produced from renewable sources, which have a 20-year maximum term.</p>
<b>Addressees</b>	<p>The State Energy Efficiency Programme addresses public buildings, state fleet, the purchase of products by the public administration, and public lightning.</p> <p>The ECO.AP addresses public administration bodies and services, including public companies, universities, public</p>



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	associations, and so on. The pilot-phase of the program (until 2015) is expected to cover 300 buildings.
<b>Competent authority</b>	<p>The Ministry of Economy, Innovation and Development (MEID) is in charge of the monitoring of the PNAEE and its results. In addition, annual reports shall be prepared by the Directorate General for Energy and Geology (DGEG) with the support from the Energy Agency (ADENE).</p> <p>With regards to the ECO.AP, the Ministry of Economy, Innovation and Development (MEID) through the executive board of the National Energy Efficiency Action Plan (PNAEE) is in charge of the coordination and the monitoring of the Programme (art. 3 RCM 2/2011).</p>
<b>Further information</b>	ECO.AP: <a href="http://ecoap.adene.pt/">http://ecoap.adene.pt/</a>



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### RD&D Policies

<b>Abbreviated form of legal source(s)</b>	<ul style="list-style-type: none"> <li>• Order 32276-A/2008</li> <li>•</li> </ul>
<b>Sector</b>	Electricity, Heating & Cooling, Transport
<b>Contact Authority</b>	Energy Agency (ADENE)
<b>Description</b>	Order 32276-A/2008 established the Fund to Support Innovation (Fundo de Apoio à inovação - FAI), which aims to promote research and projects of innovation and technological development, primarily in the field of renewable energy (art. 3 Order 32276-A/2008). In order to be eligible for receiving financial support from the FAI, the project must be related to one of the strategic areas listed in art. 13 Order 32276-A/2008, for example: scientific and technological researches, seminars or conferences; Ph.D. or master researches, as well as institutional campaigns to raise awareness with a focus on renewable energy and energy efficiency; and so forth.
<b>Addressees</b>	<p>The FAI addresses public or private institutions that meet the requirements listed in art. 14 Order 32276-A/2008. With regards to Ph.D. and master scholarships, individuals who meet the academic requirements might apply for financial support (art. 14(4) Order 32276-A/2008).</p> <p>The campaign to disseminate the National Energy Strategy addresses citizens and companies.</p>
<b>Competent authority</b>	An Executive Committee established within the Energy Agency (ADENE) is in charge of the management of the FAI through evaluating and selecting projects, making payments, monitoring and supervising projects (art. 7 and art. 8 Order 32276-A/2008).
<b>Further information</b>	Official website of the Fund to Support Innovation (FAI): <a href="http://fai.pt/">http://fai.pt/</a>



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### RES-H building obligations

<b>Abbreviated form of legal source(s)</b>	<ul style="list-style-type: none"> <li>DL 80/2006 (in force until December 2013)</li> <li>DL 118/2013 (in force after 1 January 2014)</li> </ul>
<b>Sector</b>	Heating & Cooling
<b>Contact Authority</b>	Directorate General for Geology and Energy (DGEG), Energy Agency (ADENE)
<b>Description</b>	<p>There is an obligation to use solar thermal collectors for heating water in new buildings (art. 27(2) DL 118/2013). . DL 118/2013 of 20 August 2013 will repeal provisions from DL 80/2006 when entering in force on 1 January 2014.</p> <p>The obligation is applicable whenever there is "suitable solar exposure" (defined by art. 7(3) DL 80/2006 and art. 2bb DL 118/2013 ) Article 2a DL 118/2013 defines sanitary hot water as „potable water with a temperature above 45° C used for baths, cleaning, cooking and other purposes".</p> <p>According to art. 27(3) of DL 118/2013, other forms of renewable energy can be used as an alternative to the solar thermal collectors if they capture the equivalent amount of energy (measured in annual terms). In addition, these other forms of RE can be used for other purposes if they are more efficient or convenient.</p>
<b>Obligated entities</b>	<p>According to DL 80/2006, new residential buildings and new service buildings without centralised climate control systems (art. 2(1) RCCTE) are obliged to use solar thermal collectors for heating water. The RCCTE also applies to the extensions of existing buildings and to major interventions on hot water systems in existing residential buildings and service buildings without a centralised climate control system (art. 2(5), (7) RCCTE). Major interventions are considered the interventions that cost more than 25% of the building's value (art. 2(6) RCCTE).</p> <p>New residential buildings and buildings undergoing major interventions (arts. 27 and 29 DL 118/2013). Besides that, according to art. 16 DL 118/2013, buildings certified after 31 December 2020 shall be "nearly zero-energy buildings", meaning that the building has a high energy performance and energy needs are largely provided by renewable sources,</p>





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	mainly produced on site or nearby. For new buildings owned or used by public authorities, they shall be "nearly zero-energy buildings" when certified after 31 December 2018.
<b>Competent authority</b>	The Directorate General for Geology and Energy (DGEG) is in charge of the supervision of the SCE (National System for Energy Certification (art. 5 DL 78/2006 and art. 10 DL 118/2013) and the Energy Agency (ADENE) is in charge of the management of the system and certification of buildings (art. 6 DL 78/2006 and art. 11 DL 118/2013).
<b>Further information</b>	Information available at the websites of ADENE ( <a href="http://www.adene.pt">www.adene.pt</a> ) and DGEG ( <a href="http://www.dgeg.pt/">www.dgeg.pt/</a> ).
<b>Obligation on regional level</b>	Applicable in the Autonomous Region of Madeira and the Autonomous Region of the Azores (art. 2 DL 80/2006).



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### Support of RES-H infrastructure

Abbreviated form of legal source(s)	
<b>Description</b>	District heating does not play a significant role in Portugal and according to the NREAP, "the targets for 2020 relating to the share of energy consumption for heating and cooling based on RES do not include the construction of significant infrastructure for district heating and cooling".
<b>Addressees</b>	
<b>Competent authority</b>	
<b>Further information</b>	