



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). Concerning RES-H&C support schemes, there is a subsidy offered to investments in solar installations for sanitary hot water. 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. The obligation to purchase the electricity generated under the Special Regime that 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

Overview	In Portugal, electricity from renewable sources is mainly promoted through a feed-in tariff.
Summary of support system	<ul style="list-style-type: none"> • Feed-in tariff. 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.
Technologies	In general, all technologies used in renewable electricity generation are eligible for support.
Statutory provisions	<ul style="list-style-type: none"> • 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 05/2011 (Decreto-Lei n.º 05/2011 de 10 de Janeiro) amended by DL 179/2012 (Decreto-Lei n.º 179/2012 de 3 de Agosto) on incentives for forest biomass. • DL 312/2001 (Decreto-Lei n.º 312/2001 de 10 de Dezembro) on the management of the capacity of the public electricity grid, the access to this grid and the entitlement of system operators to purchase agreements, in conjunction with its amending acts DL 33-A/2005 (Decreto Lei n.º 33-A/2005 de 16 de Fevereiro) and DL 118-A/2010 (Decreto-Lei 118-A/2010 de 25 de Outubro). • DL 363/2007 (Decreto-lei n.º 363/2007 de 02 de Novembro) on energy produced by microproduction units, in conjunction with its amending act Law 67-A/2007 (Lei n.º 67-A/2007 de 31 de Dezembro) and



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	<p>DL 118-A/2010 (Decreto-Lei 118-A/2010 de 25 de Outubro).</p> <ul style="list-style-type: none">• DL 34/2011 (Decreto-Lei n.º 34/2011 de 8 de Março) on energy produced by miniproduction units.• Ordinance 178/2011 (Portaria n.º 178/2011 de 29 de Abril) sets the fees to register a miniproduction unit.• Ordinance 284/2011 (Portaria n.º 284/2011 de 28 de Outubro) sets the annual reduction rate of the electricity tariff applicable to microproduction units.• Ordinance 285/2011 (Portaria n.º 285/2011 de 28 de Outubro) sets the annual reduction rate of the electricity tariff applicable to miniproduction units.• 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.
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**Basic information on legal sources**

Name of legal source (original language)	Decreto-Lei n.º 189/88 de 27 de Maio	Decreto-Lei n.º 312/2001 de 10 de Dezembro	
Full name			
Name (English)	Decree-Law No. 189/1988 of 27 May	Decree-Law No. 312/2001 of 10 December	
Abbreviated form	DL 189/88	DL 312/2001	
Entry into force	28.05.1988	11.12.2001	
Last amended on	01.06.2007	30.10.2010	
Future amendments			
Purpose	This decree-law regulates renewable electricity generation.	This decree-law regulates the uptake and intake capacities of the public electricity grid, access to the grid and plant operators' entitlement to electricity purchase agreements.	



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<p>Relevance for renewable energy</p>	<p>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>	<p>This decree-law regulates the uptake and intake capacities of the public electricity grid, access to the grid and plant operators' entitlement to electricity purchase agreements.</p>	
<p>Link to full text of legal source (original language)</p>	<p>http://dre.pt/pdf1sdip/1988/05/12300/22892296.pdf</p> <p>www.igf.min-financas.pt/inflegal/bd_igf/bd_legis_geral/leg_geral_docs/DL_189_88.htm</p> <p>(non-official source; excluding amendments)</p> <p>Official links to the amending decrees:</p> <p>DL 225/2007: dre.pt/pdf1sdip/2007/05/10500/36303638.pdf</p> <p>DL 33A-2005: www.dre.pt/pdf1sdip/2005/02/033A01/00020009.PDF</p> <p>DR 71/2007: dre.pt/pdf1sdip/2007/07/14100/0467604676.pdf</p>	<p>http://dre.pt/pdf1sdip/2001/12/284A00/80168024.pdf</p>	



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	Official Portuguese Law Database: Diário da República Eletrónico (D.R.E.) www.dre.pt/sug/1s/diplomas.asp		
Link to full text of legal source (English)			



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Name of legal source (original language)	Decreto-Lei n.º 363/2007 de 2 de Novembro	Decreto-Lei n.º 34/2011 de 8 de Março	
Full name			
Name (English)	Decree-Law No. 363/2007 of 2 November	Decree-Law No. 34/2011 of 8 March	
Abbreviated form	DL 363/2007	DL 34/2011	
Entry into force	31.01.2008	22.04.2011	
Last amended on	25.10.2010		
Future amendments			
Purpose	DL 363/2007 establishes the legal framework for electricity generated by 'microproduction units'. Its amending act (DL 118-A/2010) simplifies this framework.	This decree-law establishes the legal framework for RES-E generation by small power installations or plants (miniproduction units).	
Relevance for renewable energy	This decree-law establishes the legal framework for renewable energy generation by 'microproduction units'. A microproduction unit is defined as an installation that uses a single production	This decree-law establishes the legal framework for renewable energy generation by small power installations or plants (miniproduction units), A miniproduction unit is defined as an	



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	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).	installation that uses a single production technology and has a capacity of up to 250 kW (art. 1 DL 34/2011).	
Link to full text of legal source (original language)	<p>http://dre.pt/pdf1sdip/2007/11/21100/0797807984.pdf</p> <p>Official link to the amending decree:</p> <p>DL 118-A/2010:</p> <p>dre.pt/pdf1sdip/2010/10/20701/0000200015.pdf</p>	http://dre.pt/pdf1sdip/2011/03/04700/0131601325.pdf	
Link to full text of legal source (English)	<p>http://res-legal.de/fileadmin/translations/Microgeneration_Portugal_EN.doc</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 118-A/2010:</p> <p>www.dre.pt/sug/1s/diplomas_resumo.asp</p>	<p>http://dre.pt/sug/1s/diplomas_resumo.asp?id=20110422&lang=en</p> <p>Official English summary</p>	

**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	http://www.dgeg.pt/		+351 217 922 782	Racionalizacao.Energia@dgge.pt
Agência para a Energia (ADENE) – Energy Agency	http://www.adene.pt/pt-pt/Paginas/welcome.aspx		+351 214 722 800	geral@adene.pt
Portal das Energias Renováveis (PER) – Information Portal on Renewable Energy	http://www.energiasrenovaveis.com/		+351 914 102 695	mail@energiasrenovaveis.com

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

Abbreviated form of legal source(s)	<ul style="list-style-type: none"> • DL 189/88 • DL 312/2001 • DL 363/2007 • DL 34/2011
Contact Authority	Directorate General for Energy and Geology (DGEG)
Summary	<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). Apart from that, art. 11 DL 363/2007 establishes individual tariffs for electricity generated by so-called microproduction units that are 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 < 3.68 kW are eligible for a special tariff ("Regime bonificado") (art. 9 par. 1 b, art. 11 par. 5 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 118-A/2010).</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 of 2 DL 225/2007.</p> <p>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</p>



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	34/2011).	
Eligible technologies	General information	In general, all renewable energy generation technologies are eligible (art. 18 Annex II DL 189/1988).
	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 exceed 4 MW per project and 20 MW at the national level (art. 2 (h) of DL 225/2007).
	Biomass	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.
Amount	General information	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



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		<p>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>Microproduction units: the reference tariff in 2012 is € 326/MWh for the first period of eight years and € 185/MWh for the second period of seven years. (Ordinance 284/2011).</p> <p>Miniproduction units: the reference tariff in 2012 is € 215/MWh (Ordinance 285/2011).</p>
	<p>Wind energy</p>	<p>Indicative average rate: € 74-75 per MWh (DL 225/2007) (source: www.dgeg.pt/). Ordinance 286/2011 sets the coefficient Z for the calculation of the FiT for wind offshore projects.</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>Solar energy</p>	<p>Photovoltaic installation as defined in DL 132-A/2010: Indicative average rate: € 257 per MWh (DL 132-A/2010).</p> <p>Concentrating photovoltaic (CPV) installations: Installations with a capacity \geq 1 MW up to a limit of 5 MW of installed power on the</p>



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		<p>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).</p> <p>Miniproduction unit: 100% of the reference tariff (art. 11(7) DL 34/2011).</p>
	Geothermal energy	Plants up to 3 MW: Indicative average rate: € 270 per MWh (Ordinance 865/2009)
	Biogas	<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>
	Hydro-power	<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:</p>



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		<p>Indicative average rate: € 131 per MWh for the first 100MW and € 101 per MWh for the subsequent 150MW (DL 225/2007).</p> <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>
	<p>Biomass</p>	<ul style="list-style-type: none"> • Forest Biomass; Indicative average rate: € 119 per MWh (DL 5/2011) • Animal Biomass: Indicative average rate: € 102-104 per MWh (DL 225/2007) <p>Miniproduction unit: 60% of the reference tariff (art. 11(7) DL 34/2011).</p>
<p>Degression</p>	<p>General information</p>	<p>The tariffs for Miniproduction and Microproduction 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 284/2011 set a new annual reduction rate (€ 54/MWh for the first period and € 35/MWh for the second period) from 2012 onwards and, therefore, the reference tariff for 2012 is € 326/MWh for the first period and € 185 for the second period (art. 1 Ordinance 284/2011).</p> <p>Miniproduction units: The reference tariff was initially set at € 250/MWh with an annual reduction rate of 7% (art. 11(6) DL</p>



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		34/2011). However, Ordinance 285/2011 set a new annual reduction rate (14%) from 2012 onwards and, therefore, the reference tariff for 2012 is € 215/MWh (art. 1 Ordinance 285/2011).
	Wind energy	
	Solar energy	
	Geothermal energy	
	Biogas	
	Hydro-power	
	Biomass	
Cap	<ul style="list-style-type: none"> • Wind energy: until 33 GWh of electricity have been generated (DL 225/2007). <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. 1o DL 118-A/2010):</p> <ul style="list-style-type: none"> • The tariffs are limited to 15 years (art. 11(3) DL 363/2007 amended by DL 118-A/2010). • 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). • The annual maximum plant capacity eligible for the tariff is 10 MW from 2012 onwards (art. 2 Ordinance 284/2011). <p>The individual tariffs for miniproductioin units as defined by DL 34/2011 are subject to the following limitations that apply to</p>	



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	<p>all eligible technologies (art. 11 of DL 34/2011):</p> <ul style="list-style-type: none"> • The tariffs are limited to 15 years (art. 11(4) DL 34/2011). • 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). • The annual maximum plant capacity eligible for the tariff is 30 MW from 2012 onwards (art. 2 Ordinance 285/2011).
<p>Eligibility period</p>	<p>The duration of payment depends on the technology used:</p> <ul style="list-style-type: none"> • 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). • 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). • 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). • 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). • 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). • 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). • Hydro-electricity: <ul style="list-style-type: none"> ○ The payment ends after 25 years of operation (DL 126/2010). ○ 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). <p>The individual tariffs for microproduction units as defined by 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. 1o DL 118-</p>



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	<p>A/2010):</p> <ul style="list-style-type: none"> • The tariffs are limited to 15 years (art. 11(3) DL 363/2007 amended by DL 118-A/2010). • 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). • The annual maximum plant output eligible for the tariff is 10 MW from 2012 onwards (art. 2 Ordinance 284/2011). <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"> • The tariffs are limited to 15 years (art. 11(4) DL 34/2011). • 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). • The annual maximum plant capacity eligible for the tariff is 30 MW from 2012 onwards (art. 2 Ordinance 285/2011). 	
<p>Addressees</p>	<p>Entitled party. 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>Obligated party. 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. Miniproduction units: art. 14 DL 34/2011).</p>	
<p>Procedure</p>	<p>Process flow</p>	<p>Microproduction units: 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>Miniproduction units: The access to the subsidised regime is</p>



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		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.
	Competent authority	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. 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 (art. 4 DL 312/2001 amended by DL 118-A/2010).
Flexibility Mechanism		
Distribution of costs	State	
	Consumers	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).
	Plant operator	
	Grid operator	
	European Union	
	Distribution mechanism	



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RES-E grid issues

Overview

Overview of grid issues	In Portugal, two electricity generation regimes are in place, namely the Ordinary Regime and the Special Regime. The Special Regime (Regime Especial) applies to electricity from renewable energy sources (except large hydropower plants) as well as CHP plants. The obligation to purchase all electricity generated under the Special Regime that benefits from the FiT (art. 55 of DL 172/2006 amended by DL 216-B/2012) creates favourable conditions for the deployment of RES-E.
Connection to the grid	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").
Use of the grid	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.
Grid development	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. Grid development shall be economically reasonable and in line with the aims of national energy policy (article 7 DL 312/2001). The use of available renewable energy shall be a priority. However, plant operators may apply for the reinforcement of the grid if such is necessary to connect their plants. In this case, the plant operators shall participate in the costs of grid reinforcement (articles 6 and 12 DL 312/2001).
Statutory provisions	<ul style="list-style-type: none"> 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) and DL 51/2010 (Decreto-Lei n.º 51/2010 de 20 de Maio)



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- DL 312/2001 (Decreto-Lei n.º 312/2001 de 10 de Dezembro) on the management of the capacity of the public electricity grid, the access to this grid and the entitlement of plant operators to purchase agreements, in conjunction with its amending acts DL 33-A/2005 (Decreto Lei n.º 33-A/2005 de 16 de Fevereiro) and DL 118-A/2010 (Decreto-Lei 118-A/2010 de 25 de Outubro)
- 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).
- 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).
- 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) and DL 118-A/2010 (Decreto-Lei 118-A/2010 de 25 de Outubro).
- DL 34/2011 (Decreto-Lei n.º 34/2011 de 8 de Março) on renewable energy production in small power plants (miniproduction units). Ordinance 178/2011 (Portaria n.º 178/2011 de 29 de Abril) sets the fees for the registration of miniproduction units.



Basic information on legal sources

Name of legal source (original language)	Decreto-Lei n.º 189/88 de 27 de Maio	Decreto-Lei n.º 312/2001 de 10 de Dezembro	Decreto-Lei n.º 29/2006 de 15 de Fevereiro
Full name			
Name (English)	Decree-Law No. 189/1988 of 27 May	Decree-Law No. 312/2001 of 10 December	Decree-Law No. 29/2006 of 15 February
Abbreviated form	DL 189/88	DL 312/2001	DL 29/2006
Entry into force	28.05.1988	11.12.2001	16.02.2006
Last amended on	01.06.2007	30.10.2010	08.10.2012
Future amendments			
Purpose	This decree-law regulates renewable electricity generation.	This decree-law regulates the uptake and intake capacities of the public electricity grid, access to the grid and plant operators' entitlement to electricity purchase agreements.	This decree-law organises the national electricity grid system.
Relevance for renewable energy	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	This decree-law regulates the uptake and intake capacities of the public electricity grid, access to the grid and plant	This decree-law promotes renewable energy by establishing special provisions.



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	for electricity from renewable sources.	operators' entitlement to electricity purchase agreements.	
Link to full text of legal source (original language)	<p>http://dre.pt/pdf1sdip/1988/05/12300/22892296.pdf</p> <p>www.igf.min-financas.pt/inflegal/bd_igf/bd_legis_geral/Leq_geral_docs/DL_189_88.htm</p> <p>(non-official source; excluding amendments)</p> <p>Official links to the amending decrees:</p> <p>DL 225/2007: dre.pt/pdf1sdip/2007/05/10500/36303638.pdf</p> <p>DL 33A-2005: www.dre.pt/pdf1sdip/2005/02/033A01/00020009.PDF</p> <p>DR 71/2007: dre.pt/pdf1sdip/2007/07/14100/0467604676.pdf</p> <p>Official Portuguese Law Database: Diário da República Eletrónico (D.R.E.) www.dre.pt/sug/1s/diplomas.asp</p>	<p>http://dre.pt/pdf1sdip/2001/12/284A00/80168024.pdf</p>	<p>DL 29/2006 http://www.dre.pt/pdf1sdip/2006/02/033A00/11891203.PDF</p> <p>Official link to amending decree:</p> <p>DL 215-A/2012: http://dre.pt/pdf1sdip/2012/10/19401/000200045.pdf</p>
Link to full text of legal source			





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(English)			
Name of legal source (original language)	Decreto-Lei n.º 34/2011 de 8 de Março	Decreto-Lei n.º 363/2007 de 2 de Novembro	Decreto-Lei n.º 172/2006 de 23 de Agosto
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		25.10.2010	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	This decree-law establishes the legal framework for renewable energy generation by small power plants (miniproduction units),	This decree-law establishes the legal framework for renewable energy generation by 'microproduction units'.	This decree-law promotes renewable energy by establishing special provisions.



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	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).	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).	
Link to full text of legal source (original language)	http://dre.pt/pdf1sdip/2011/03/04700/0131601325.pdf	DL363/2007: http://dre.pt/pdf1sdip/2007/11/21100/0797807984.pdf Official link to amending decree: DL 118-A/2010: http://dre.pt/pdf1sdip/2010/10/20701/000200015.pdf	DL 172/2006: http://dre.pt/pdf1sdip/2006/08/16200/61186156.pdf Official link to amending decree: DL 215-B/2012: http://dre.pt/pdf1sdip/2012/10/19401/0004500133.pdf
Link to full text of legal source (English)	http://dre.pt/sug/1s/diplomas_resumo.asp?id=20110422&lang=en Official English summary	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. http://res-legal.de/fileadmin/translations/Microgeneration Portugal EN.doc	

**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	http://www.dgeg.pt/		+351 217 922 782	Racionalizacao.Energia@dgge.pt
Entidade Reguladora dos Serviços Energéticos (ERSE) – Energy Services Regulatory Authority	http://www.erse.pt/pt/Paginas/home.aspx		+351 213 033 200	erse@erse.pt
Agência para a Energia (ADENE) – Energy Agency	http://www.adene.pt/pt-pt/Paginas/welcome.aspx		+351 214 722 800	geral@adene.pt
Portal das Energias Renováveis (PER) – Information Portal on Renewable Energy	http://www.energiasrenovaveis.com/		+351 914 102 695	mail@energiasrenovaveis.com
Rede Eléctrica Nacional, S.A. (REN) – Concession holder of	http://www.ren.pt/vEN/Pages/home02.aspx		+ 351 210 013 500	



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the National Electricity Transmission Grid (RNT)				
EDP Distribuição – Main Distribution System Operator	http://www.edpdistribuicao.pt/pt/Pages/homepage.aspx		+351 210 021 610	
Associação de Energias Renováveis (APREN) – Portuguese Association of Renewable Energy	http://www.apren.pt/		+351 213 151 621	apren@apren.pt





Grid issues

Connection to the grid

<p>Abbreviated form of legal sources</p>	<ul style="list-style-type: none"> • DL 189/88 • DL 312/2001 • DL 363/2007 • DL 34/2011 	
<p>Contact Authority</p>	<p>Rede Eléctrica Nacional (REN), EDP Distribuição</p>	
<p>Overview</p>	<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", art. 4 DL 312/2001 as amended by DL 118-A/2010, art. 5 DL 312/2001 and articles 5 and 6 DL 34/2011).</p> <p>Entitled party. The persons entitled are the plant operators (art. 4 DL 312/2001 and articles 5 and 6 DL 34/2011).</p> <p>Obligated party. The companies obligated are the grid operators (art. 5 DL 312/2001), 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>	
<p>Procedure</p>	<p>Process flow</p>	<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", art. 4 DL 312/2001 as amended by DL 118-A/2010 and art. 5 DL 312/2001). There are two possible procedures for grid connection: Request for Prior Information – PIP (art. 10 DL 312/2001 as amended by DL 118-A/2010) and contest (art. 14 DL 312/2001 as amended by DL 33-A/2005). By submitting a Request for Prior Information (Pedido de Informação Prévia), RES-E producers can find out if the grid has sufficient capacity to import their electricity. Public tenders are initiated by the government. The operators of microproduction and</p>



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		<p>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 managed by the DGEG (article 7 DL 363/2007 and article 7 DL 34/2011).</p>
	<p>Deadlines</p>	<p>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 (art. 17 par. 6 DL 312/2001). The parties in question agree on the start of connection works in the contract on connection (art. 17f. DL 312/2001). 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).</p>
	<p>Obligation to inform</p>	<p>When receiving a Request for Prior Information – PIP, the Directorate-General for Energy and Geology (DGEG) shall provide the information requested within 40 days after the period for the submission of PIPs is over. Grid operators shall provide the information requested by the DGEG within 30 days (art. 10 DL 312/2001 as amended by DL 118-A/2010).</p> <p>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).</p>



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<p>Priority to renewable energy (qualitative criteria)</p>	<p>() Priority to renewable energy</p> <p>(X) Non-discrimination</p>	<p>As a rule, connection to the grid shall be granted according to the principle of non-discrimination. Besides acting according to the principle of equal treatment, the grid operator shall take into account the aims of national energy policy, among them the increased use of renewable energy, when deciding on which plant to connect to the grid (art. 6, 13 DL 312/2001). The obligation to purchase all electricity produced under the Special Regime that 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.</p>
<p>Capacity limits (quantitative criteria)</p>	<p>The grid operators are obliged to comply with the following criteria and regulations when allocating grid capacity (art. 6 par. 2 DL 312/2001):</p> <ul style="list-style-type: none"> • Plan for the expansion of the electricity grid in accordance with art. 7 DL 312/2001 • Investment plan in accordance with art. 8 DL 312/2001 • Characteristics of the grid in question in accordance with art. 9 DL 312/2001 <p>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).</p>	
<p>Distribution of costs</p>	<p>State</p>	
	<p>Consumers</p>	
	<p>Grid operator</p>	
	<p>Plant operator</p>	<p>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</p>



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		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 (art. 6, 12 DL 312/2001). 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).
	European Union	
	Others	
	Distribution mechanism	



Use of the grid

<p>Abbreviated form of legal sources</p>	<ul style="list-style-type: none"> • DL 312/2001 • DL 29/2006 	
<p>Contact Authority</p>	<p>Rede Eléctrica Nacional (REN), EDP Distribuição</p>	
<p>Overview</p>	<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", art. 4 DL 312/2001 as amended by DL 118-A/2010 and art. 5 DL 312/2001).</p> <p>Entitled party. The persons entitled are the plant operators (art. 4 DL 312/2001 and articles 5 and 6 DL 34/2011).</p> <p>Obligated party. The companies obligated are the grid operators (art. 5 DL 312/2001), 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>	
<p>Procedure</p>	<p>Procedure</p>	<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", art. 4 DL 312/2001 as amended by DL 118-A/2010 and art. 5 DL 312/2001).</p>
	<p>Deadlines</p>	<p>DL 189/88 and DL 312/2002 do not provide for deadlines, which may, however, be specified in the contractual terms.</p>
	<p>Obligation to inform</p>	
<p>Priority to renewable energy</p>	<p>() Priority to renewable energy</p>	<p>As a rule, use of the grid shall be granted according to the principle of non-discrimination. Besides acting according to the principle of equal treatment, the grid</p>



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(qualitative criteria)	(x) Non-discrimination	operator shall take into account the aims of national energy policy, among them the increased use of renewable energy, when deciding on whose electricity to transmit (art. 6, 13 DL 312/2001). 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 producers.
Curtailment	Capacity limits may be imposed only if the maximum capacity of the grid is reached (art. 6, 13 DL 312/2001). 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).	
Distribution of costs		
	State	
	Consumers	
	Grid operator	
	Plant operator	
	Others	The electricity suppliers bear the costs for the use of the grid (art. 44 par. 2 DL 29/2006).
	European Union	
	Distribution mechanism	The costs are included in the charges for the use of the transmission and distribution grids (art. 6 DL 312/2001).

Grid development

Abbreviated form of legal source	<ul style="list-style-type: none"> DL 312/2001
Contact Authority	<ul style="list-style-type: none"> Rede Eléctrica Nacional (REN)
Overview	<ul style="list-style-type: none"> General development of the grid. Plant operators are not entitled to grid development. However, the grid operator has the general obligation to develop his grid (art. 7, 8 DL 312/2001). To this aim, the grid operator drafts a development plan and submits it to the Minister of Economy, Innovation and Development, who is responsible for authorising this plan. The plan shall comply with the National Energy Plan, especially with its provisions on renewable energy, and help develop the electricity grid system in Portugal (art. 7 DL 312/2001). Additionally, grid operators submit investment plans to the Regulatory Authority (ERSE) as described in art. 8 DL 312/2001. Early development of the grid. Plant operators may apply for the reinforcement of the grid, if the grid capacity is overloaded. In this case, the respective plant operator is contractually entitled to the reinforcement of the grid and participates in the costs of the reinforcement (art. 6, 12 DL 312/2001). The share of participation in the costs for the reinforcement of the grid might be defined in an agreement between the plant operator and the grid operator. In the absence of such an agreement, the share of participation might be arbitrated by the DGEG after hearing the Regulatory Authority - ERSE (art. 12 DL 312/2001). Selection of several applicants for connection. If several operators apply for connection to the same connection point without the number of receiving lines being sufficient, the grid operator is obliged to select the plant operator to be connected according to the criteria of art. 13 DL 312/2001. This article provides for a hierarchy of criteria for decision-making to be applied by the grid operator, who must not discriminate against certain plant operators when making a decision. One of the most important criteria to be taken into account is environmentally sustainable generation of electricity through the use of renewable energy. <p>Entitled party. 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>Obligated party. The grid operator is not legally required to develop the grid. However, he shall prepare the National Transmission Grid Development and Investment Plan (PDIRT), which shall include both a technical report and a Strategic Environmental Assessment in accordance with DL 232/2007, and submit it to the Ministry of Economy, Innovation and Development (art. 7 and art. 8 DL 312/2001).</p>



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Procedure	Process flow	The Transmission System Operator shall submit a development plan to the Minister of Economy, Innovation and Development for authorisation. The plan shall comply with Portugal's national energy policy, especially with its provisions on renewable energy (art. 7 DL 312/2001).
	Enforcement of claims	
	Deadlines	
	Obligation to inform	
Regulatory incentives for grid expansion and innovation		
Distribution of costs	State	
	Consumers	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.
	Grid operator	In general, the grid operator shall bear the cost of a grid development (art. 6 par. 2, art. 7 and art. 8 DL 312/2001).
	Plant operator	
	European Union	



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	Distribution mechanism	Investment costs are taken into consideration when setting the tariff for the use of the grid. Article 6 (2) of DL 312/2001
Grid studies	<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>http://www.centrodeinformacao.ren.pt/PT/publicacoes/Paginas/PlanoInvestimentoRNT.aspx</p>	



RES-H&C support schemes

Summary of support schemes

Overview	<p>The Portuguese NREAP refers to regulatory and financial measures to encourage the use of RES that are not in place anymore, such as the environmental tax deduction of 30% of the amounts spent on acquisition of new equipments to use renewable energy, which was repealed by Law 55-A/2010 (State Budget for 2011).</p> <p>Currently, a subsidy offered to investments in solar installations for sanitary hot water is in place.</p>
Summary of support schemes	<ul style="list-style-type: none">• Investments in solar installations for sanitary hot water can apply for a subsidy (up to a limit of 70% of the eligible expenditure) at the Regional Operating Programme (POR) of the National Strategic Reference Framework (QREN).
Technologies	<ul style="list-style-type: none">• Solar thermal installations for sanitary hot water
Statutory provisions	<ul style="list-style-type: none">• RCM of 9 June 2010 (Resolução de 9 de Junho de 2010) on the Regional Operation Programmes (POR).

**Basic information on legal sources**

Name of legal source (original language)	Resolução de 9 de Junho de 2010		
Full name	Resolução da Comissão Ministerial de Coordenação dos Programas Operacionais Regionais (POR) aprovada por consulta escrita em 9 de junho de 2010.		
Name (English)	Resolution of 9 June 2010 of the Ministerial Commission for Coordination of Regional Operational Programmes (POR) approved by written consultation in 9 June 2010.		
Abbreviated form	RCM of 9 June 2010		
Entry into force	10.06.2010		
Last amended on			
Future amendments			
Purpose	This resolution repeals the specific regulation "Energy" approved in 2008 within the Regional Operation Programmes (POR) and sets a new		



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	regulation "Energy" for these programmes.		
Relevance for renewable energy	Among other issues, this resolution details the procedure to apply for financial support from the PORs to investments made for the installation of solar installations for sanitary hot water.		
Link to full text of legal source (original language)	www.qren.pt/download.php?id=1663		
Link to full text of legal source (English)			

**Further information**

Institution (name)	Website	Name of contact person (optional)	Telephone number (head office)	E-mail (optional)
QREN: Quadro de Referência Estratégico Nacional - National Strategic Reference Framework	http://www.qren.pt/index.php?lang=0		+351 210 437 300	QREN2007-2013@observatorio.pt
Portal Financeiro: Crédito Energias Renováveis - Financial Portal.	http://www.portal-financeiro.com/credito-energias-renovaveis.html			info@portal-financeiro.com



Support schemes

Subsidy

Abbreviated form of legal source(s)	<ul style="list-style-type: none"> Resolution of 9 June 2010 	
Contact Authority	Observatório do QREN	
Summary	Investments in solar installations for sanitary hot water (Annex A, 2(g) Resolution) can apply for co-financing (as a grant) at the Regional Operating Programme (POR) of the National Strategic Reference Framework (QREN). The benefit is up to a limit of 70% of the eligible expenditure.	
Eligible technologies	General information	According to art. 5 and Annex A of the Resolution of 9 June 2010, the installation of solar thermal installations for sanitary hot water are eligible.
	Aerothermal	
	Hydrothermal	
	Biogas	
	Biomass	
	Geothermal energy	
	Solar Thermal	Eligible (art. 5(1) c Resolution)



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<p>Amount</p>	<p>The grant is up to a limit of 70% of the eligible expenditure (art. 10(1) Resolution).</p>	
<p>Addressees</p>	<p>According to the Portuguese NREAP (96) and article 6(1) Resolution of 9 June 2010, the beneficiaries are:</p> <ul style="list-style-type: none"> • Municipalities, associations of municipalities and metropolitan areas; • Municipal and inter-municipal public companies and municipalized services; • Direct or indirect bodies of the central public administration; • Regional, inter-municipal and municipal agencies for energy and environment; • Non-profit companies regulated by private law. <p>Additionally, art. 6(2) Resolution of 9 June 2010 adds as beneficiaries:</p> <ul style="list-style-type: none"> • Municipalities, associations of municipalities and municipal companies; • The Institute for Housing and Urban Renewal (IHRU); • Urban Rehabilitation Societies (SRU). <p>The grant is supported with resources from the European Regional Development Fund (ERDF) (art. 10(1) Resolution).</p>	
<p>Procedure</p>	<p>Process flow</p>	<p>In general, applications for the grant are made through tenders in specific periods (art. 11(1) Resolution). However, the Ministerial Commission for Coordination of Regional Operational Programmes might also allow the submission of applications on a continuous basis (art. 11(3) Resolution). The application form and required documents shall be electronically submitted to the Managing Authority of the POR. The selection criteria are listed in Annex B of the Resolution (art. 13). After the selection, the managing authority shall conclude an agreement with the beneficiary (art. 15(4) Resolution).</p> <p>Further information on the PORs: http://www.qren.pt/item3.php?lang=0&id_channel=34&id_page=203</p>



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	Competent authority	Managing Authority of the POR. The management authority is a technical body managed by a committee composed by the President of the CCDR (Regional Development and Coordination Commission), two members appointed by a joint decision of the ministers with relevance for each POR, and two members appointed by the municipalities of the regions subject to the POR (RCM 25/2006).
Flexibility mechanism		
Distribution of costs	State	
	Consumers	
	Plant operator	
	Grid operator	
	European Union	
	Distribution mechanism	Resources from the European Regional Development Fund (ERDF) cover up to 70% of the eligible expenditure. The Beneficiary must directly or through other funding sources ensure the national counterpart (art. 10(1) Resolution).



RES-T support schemes

Summary of support schemes

Overview	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.
Summary of support schemes	<ul style="list-style-type: none"> • Tax regulation mechanism: 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). • Biofuel quota: Companies supplying fuels for consumption shall incorporate a certain percentage of biofuels in the fuels they supply to the market from 2011 to 2020.
Technologies	The tax regulation mechanism and the quota mechanism apply to biofuels only.
Statutory provisions	<ul style="list-style-type: none"> • 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). • Order 301/2011 (Portaria 301/2011 de 2 de Dezembro) on the compensation to be paid for each TdB (Título de Biocombustível) missing. • 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). • 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).



Basic information on legal sources

Name of legal source (original language)	Decreto-lei 117/2010 de 25 de Outubro	Portaria 301/2011 de 2 de Dezembro	Portaria 8/2012 de 4 de Janeiro
Full name			
Name (English)	Decree-law 117/2010 of 25 October	Order 301/2011 of 2 December	Order 8/2012 of 4 January
Abbreviated form	DL 117/2010	Order 301/2011	Order 8/2012
Entry into force	01.01.2011	03.12.2011	5.01.2012
Last amended on	18.01.2012		
Future amendments			
Purpose	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).
Relevance for renewable energy	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.
Link to full text of legal source (original language)	http://dre.pt/pdf1sdip/2010/10/20700/0478204795.pdf	http://dre.pt/pdf1sdip/2011/12/23100/0519005190.pdf	http://dre.pt/pdf1sdip/2012/01/00300/0002800036.pdf
Link to full text of legal source (English)	Summary: http://www.dre.pt/sug/1s/diplomas_resumo.asp?id=20102619&lang=en&p=dia		



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

**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	http://www.dgeg.pt/		+ 351 217 922 700 + 351 217 922 800	energia@dgeg.pt
APREN: Associação de Energias Renováveis – Portuguese Association of Renewable Energy	http://www.apren.pt/		+351 213 151 621	apren@apren.pt
Portal das Energias Renováveis (information portal on renewable energy)	http://www.energiasrenovaveis.com		+351 914 102 695	mail@energiasrenovaveis.com



Support schemes

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

<p>Abbreviated form of legal source(s)</p>	<ul style="list-style-type: none"> • DL 117/2010. • Order 320-E/2011. 	
<p>Contact Authority</p>	<p>Directorate General for Energy and Geology (DGEG)</p>	
<p>Summary</p>	<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>	
<p>Eligible technologies</p>	<p>General information</p>	<p>Biofuels produced by dedicated small producers (PPD, Pequenos Produtores Dedicados) benefit from tax exemption.</p>
	<p>Biofuels</p>	<p>Eligible (art. 19(1) DL 117/2010).</p>
	<p>Electricity</p>	
	<p>Hydrogen</p>	
<p>Amount</p>	<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"> • Petrol (NC 27101921 and NC 27101925): 0,337 €/liter. • Coloured and marked Petrol (NC 27101925): 0,113 €/liter. 	
Addressees	Dedicated small producers of biofuels (PPD) as defined by art. 19(2) DL 117/2010.	
Procedure	Process flow	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).
	Competent authority	Directorate General for Energy and Geology (DGEG).
Flexibility Mechanism		
Distribution of costs	State	The costs of tax exemption are borne by the State
	Consumers	
	Plant operator	
	Grid operator	
	European Union	



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	Distribution mechanism	
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Biofuel quota

<p>Abbreviated form of legal source(s)</p>	<ul style="list-style-type: none"> • DL 117/2010 and its amending act DL 6/2012 • Order 301/2011 • Order 8/2012 	
<p>Contact Authority</p>	<p>Directorate General for Energy and Geology (DGEG)</p>	
<p>Summary</p>	<p>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.</p>	
<p>Eligible technologies</p>	<p>General information</p>	<p>Obligation to incorporate biofuels in the fuels provided for consumption from 2011 to 2020.</p>
	<p>Biofuels</p>	<p>Eligible (art. 1(1) e DL 117/2010).</p>
	<p>Electricity</p>	
	<p>Hydrogen</p>	
<p>Amount</p>	<p>Amount of quota and period of application</p>	<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"> • 2011 and 2012 — 5.0%; • 2013 and 2014 — 5.5%; • 2015 and 2016 — 7.5%; • 2017 and 2018 — 9.0%; • 2019 and 2020 — 10.0%. <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>
	Adjustment of quotas	The quotas are already defined for the years 2011 to 2020.
	Fees and penalty charges	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).
Addressees	Companies that supply fuels for consumption (art. 11 DL 117/2010 amended by DL 6/2012).	
Procedure	Process flow	<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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	Competent authority	<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>
Flexibility Mechanism		
Distribution of costs	State	
	Consumers	<p>The costs are borne by the consumers.</p>
	European Union	
	Others	
	Distribution mechanism	<p>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</p>



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		companies obliged to incorporate biodiesel.
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Policies

Summary of policies

<p style="text-align: center;">Overview</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 energy performance and air quality in certain buildings are in place. In addition, training programmes for installers of RES plants are already part of the education system.</p>
<p style="text-align: center;">Summary of policies</p>	<ul style="list-style-type: none"> • Training programs for installers. 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. • Certification of RES installations. There are regulations on the certification of the energy performance and air quality in buildings. In addition, where solar thermal installations are used, the performance and durability of the installation and its components must be certified by an accredited entity. • Exemplary role of Public Authorities. 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. • RD&D policies. There are incentives for research and projects on innovation and technological development in the field of renewable energy, as well as the promotion of campaigns to disseminate the National Energy Strategy 2020 and raise awareness on RES issues, such as the establishment of the RE.NEW.ABLE homepage. • RES-H building obligations. There is the obligation to use solar thermal collectors for sanitary hot water in buildings addressed under the RCCTE rules. However, 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.



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<p style="text-align: center;">Technologies</p>	<ul style="list-style-type: none"> • Training programs for installers. Mainly solar thermal. However, the professional course of technician of renewable energy covers solar thermal or photovoltaic, wind and bioenergy. • Certification of RES installations. Mainly solar thermal. • Exemplary role of Public Authorities. Mainly solar thermal installations, but wind energy is also mentioned in case of microproduction in public schools. • RD&D policies. The campaign to disseminate information on RES covers solar, photovoltaic, wind, biomass, geothermal, and wave. • RES-H building obligations. Mainly solar thermal. However, other forms of RES can be used as an alternative (photovoltaic, wind, biomass, geothermal, wave).
<p style="text-align: center;">Statutory provisions</p>	<ul style="list-style-type: none"> • DL 78/2006 (Decreto-lei 78/2006 de 4 de Abril) on the National System for Energy Certification and Interior Air Quality in Buildings (SCE). • DL 80/2006 (Decreto-lei 80/2006 de 4 de abril) on the Regulation for the Characteristics of the Thermal Behavior of Buildings (RCCTE). • Order 32276-A/2008 (Despacho 32276-A/2008 de 17 de Dezembro) on the Fund to Support Innovation (FAI) • RCM 80/2008 (Resolução do Conselho de Ministros n.º 80/2008) on the National Energy Efficiency Action Plan (PNAEE) • RCM 29/2010 (Resolução do Conselho de Ministros n.º 29/2010) on the National Energy Strategy (ENE) 2020 • RCM 2/2011 (Resolução do Conselho de Ministros n.º 2/2011) on the Program for Energy Efficiency in the Public Administration (ECO.AP) • 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) • 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 • Order 944/2005 (Portaria 944/2005 de 28 de Setembro) on the professional course of technician of renewable energy.



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**Basic information on legal sources**

Name of legal source (original language)	Decreto-lei 78/2006 de 4 de Abril	Decreto-lei 80/2006 de 4 de Abril	Despacho 32276-A/2008 de 17 de Dezembro
Full name			
Name (English)	Decree-law 78/2006 of 4 April	Decree-law 80/2006 of 4 April	Order 32276-A/2008 of 17 December
Abbreviated form	DL 78/2006	DL 80/2006	Order 32276-A/2008
Entry into force	04.04.2006	03.07.2006	05.12.2008
Last amended on			
Future amendments			
Purpose	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).
Relevance for renewable energy	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).
Link to full text of legal source (original language)	http://dre.pt/pdf1sdip/2006/04/067A00/24112415.pdf	http://dre.pt/pdf1sdip/2006/04/067A00/24682513.pdf	http://ftp.infoeuropa.euroid.pt/databas e/000045001-000046000/000045691.pdf
Link to full text of legal source (English)			



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Name of legal source (original language)	Resolução do Conselho de Ministros n.º 80/2008	Resolução do Conselho de Ministros n.º 29/2010	Resolução do Conselho de Ministros n.º 2/2011
Full name			
Name (English)	Cabinet Resolution RCM 80/2008	Cabinet Resolution RCM 29/2010	Cabinet Resolution RCM 2/2011
Abbreviated form	RCM 80/2008	RCM 29/2010	RCM 2/2011
Entry into force	20.05.2008	15.04.2010	12.01.2011
Last amended on			
Future amendments			
Purpose	This Resolution approves the National Energy Efficiency Action Plan (PNAEE), which integrates policies and measures on energy efficiency.	This Resolution approves the National Energy Strategy (ENE) 2020.	This Resolution establishes the Programme for Energy Efficiency in the Public Administration (Programa de Eficiência Energética na Administração Pública - ECO.AP).
Relevance for renewable energy	The Plan aims to achieve by 2015 a 10% increase (in terms of energy efficiency) in the final energy consumption.	This Resolution approves the National Energy Strategy (ENE) 2020 and launches a campaign to disseminate it.	The programme refers to a set of energy efficiency measures to be implemented in governmental agencies and services in order to promote the rational use of energy.
Link to full text of legal source (original language)	http://dre.pt/pdf1sdip/2008/05/09700/0282402865.pdf	http://dre.pt/pdf1sdip/2010/04/07300/0128901296.pdf	http://dre.pt/pdf1sdip/2011/01/00800/0027000271.pdf
Link to full text of legal source (English)			



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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 Energético - Measure to Support the Harnessing of Energy Potential and Rationalisation of Consumption).	This Order establishes the conditions for the issuance of the Professional Aptitude Certificate (PAC) and for the approval of training courses to installers of solar thermal installations.	This Order creates the professional course of technician of renewable energy.
Relevance for renewable energy	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.
Link to full text of legal source (original language)	http://dre.pt/pdf1sdip/2004/04/092B00/23582368.pdf	http://dre.pt/pdf1sdip/2004/11/278B00/69066909.pdf	http://dre.pt/pdf1sdip/2005/09/187B00/58625865.pdf
Link to full text of legal source (English)			

**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	http://www.dgeg.pt/		+351 217 922 700 +351 217 922 800	energia@dgge.pt
ADENE: Agência para a Energia - Energy Agency	http://www.adene.pt/pt-pt/Paginas/welcome.aspx		+351 214 722 800	geral@adene.pt
RE.NEW.ABLE (website with information on RES issues in Portugal)	http://www.renewable.pt/pt/Paginas/default.aspx		+351 214 722 800	geral@adene.pt
CERTIF: Associação para a Certificação - Association for Certification	http://www.certif.pt/		+351 212 586 940	Mail@certif.pt
ANQEP: Agência Nacional para a Qualificação e o	http://www.anqep.gov.pt/default.aspx		+351 213 943 700	anqep@anqep.gov.pt



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

Policy categoriesTraining programmes for Installers

Abbreviated form of legal source(s)	<ul style="list-style-type: none"> • Order 1451/2004 • Order 944/2005
Sector	Heating & Cooling
Contact Authority	National Qualifications Agency, Directorate General for Energy and Geology (DGEG)
Description	<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>
Addressees	Training institutions and those interested in the above-mentioned training courses.
Competent authority	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).



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<p>Further information</p>	<p>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 Profissional": www.dgeg.pt/</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: http://www.lneg.pt/servicos/43/</p> <p>General information on professional training in Portugal is available at the National Agency for Qualification and Vocational Education and Training (ANQEP): http://www.anqep.gov.pt/default.aspx</p>	
<p>Distribution of costs</p>	<p>State</p>	
	<p>Private Financing</p>	<p>The installers of solar thermal installations and the technicians of renewable energy plants and installations have to bear the costs for the training.</p>
	<p>European Union</p>	
	<p>Others</p>	



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Certification Programmes for RES installations

Abbreviated form of legal source(s)	<ul style="list-style-type: none"> • DL 78/2006 (SCE) • DL 79/2006 (RSECE) • DL 80/2006 (RCCTE) • Order 394/2004 (Solar Thermal Installations)
Sector	Heating & Cooling
Contact Authority	Directorate General for Energy and Geology (DGEG), Energy Agency (ADENE)
Description	<p>Decree-law 78/2006 sets the National System for Energy Certification and Interior Air Quality in Buildings (SCE). According to the Portuguese NREAP and art. 2 DL 78/2006, the SCE aims at the implementation of regulations on energy efficiency, on the use of RES, and on the air quality according to the provisions of the RSECE (Regulations for Energy and Climate Control Systems for Buildings, DL 79/2006) and the RCCTE (Regulation for the Characteristics of the Thermal Behaviour of Buildings, DL 80/2006). The SCE also aims at the certification of energy performance and the air quality in buildings. The certificates shall be registered at the Energy Agency (ADENE) through the payment of a fee (art. 11 DL 78/2006).</p> <p>In addition, 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.</p> <p>Concerning the regulation in the autonomous regions in Portugal, the Regional Legislative Decree 1/2008/M of 11.01.2008 transposed the SCE for the Autonomous Region of Madeira and the Regional Legislative Decree 16/2009/A of 13.10/2009 transposed the SCE for the Autonomous Region of the Azores.</p>
Addressees	Regarding the SCE, owners of buildings or single units must ensure the compliance with the RCCTE and the RSECE and must have a certificate of the energy performance and indoor air quality (art. 9 DL 78/2006). However, they do not directly



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	<p>interact with the institutions that manage the system and they need to hire the services of an expert (perito) who will assess the compliance with the rules and issue the certificate.</p> <p>The SCE encompasses the following categories of buildings (art. 3 DL 78/2006): a) new buildings; b) existing buildings subject to rehabilitation interventions according to the RSECE and the RCCTE; c) existing service buildings subject to periodic audits as specified in the RSECE; d) existing buildings (for housing or services) when concluding a sales and leasing contract. Military infrastructures are excluded from the scope of the SCE (art. 3 DL 78/2006).</p> <p>With regards to the certification of solar thermal installations, the manufacturer of the product is addressed.</p>
<p>Competent authority</p>	<p>At the national level, the Directorate General for Geology and Energy (DGEG) is in charge of the supervision of the SCE with regards to certification (art. 5 DL 78/2006) and the Energy Agency (ADENE) is in charge of the management of the system (art. 6 DL 78/2006).</p> <p>The professional in charge of assessing the energy performance and issuing the certificates is the expert (perito) mentioned in art. 7 DL 78/2006 (art. 8 DL 78/2006). This professional shall be an architect, an engineer or an engineering technician and can provide its service as an autonomous professional or through a legal entity. A list of qualified experts is provided at the official website of the SCE and at the Plataforma Casa Certificada (Certified Home Platform).</p> <p>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).</p>
<p>Further information</p>	<p>Homepage of the National System for Energy Certification (SCE): http://www.adene.pt/pt-PT/Subportais/SCE/Paginas/default.aspx</p> <p>Certified Home Platform: http://www.casacertificada.pt/peritos</p> <p>Q&A on the RCCTE: http://www.adene.pt/pt-pt/SubPortais/SCE/PerguntasRespostas/Documents/PR_RCCTE_20.pdf</p>



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	<p>Information on the certification of solar thermal systems (in Portuguese):</p> <p>Água Quente Solar: http://www.aguaquentesolar.com/observatorio/equipamentos/index.asp</p> <p>Folder "Certificação de Equipamentos Solares Térmicos": http://www.aguaquentesolar.com/publicacoes/3/certificacaoEquipamentos.pdf</p> <p>LNEG: http://www.lneg.pt/servicos/42/</p>	
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	With regards to the certification under the SCE, the costs related to the activities performed by the Energy Agency (ADENE) are covered by the revenues from the registration of the certificates issued by the qualified experts (art. 6 DL 78/2006).
	European Union	
	Others	



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

Abbreviated form of legal source(s)	<ul style="list-style-type: none"> • RCM 80/2008 (PNAEE) • RCM 2/2011 (ECO.AP)
Sector	Electricity, Heating & Cooling
Contact Authority	Directorate General for Energy and Geology (DGEG)
Description	<p>The National Energy Efficiency Action Plan (PNAEE) established the State Energy Efficiency Programme (Programme E3), composed of four main areas: building, transport, ecologic purchase, and public lightning. The measures to promote the use of RES in public buildings are: energy certification of State buildings (Measure E8M1), installation of solar thermal installations for heating water in swimming pools and changing rooms (Measure E8M2), installation of solar thermal installations in for heating water in sport complexes (Measure E8M3), and installation of microproduction plants for electricity in public schools (Measure E8M4).</p> <p>Afterwards, the 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 20% improvement in energy efficiency in public services, equipments, and public administration bodies. 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) .</p>
Addressees	<p>The State Energy Efficiency Programme addresses public buildings, state fleet, 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.
Competent authority	<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>
Further information	<p>PNAEE: http://www.iea.org/textbase/pm/?mode=pm&action=detail&id=4196 http://www.dgeg.pt/</p> <p>ECO.AP: http://ecoap.adene.pt/</p>



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RD&D Policies

Abbreviated form of legal source(s)	<ul style="list-style-type: none"> • Order 32276-A/2008 • RCM 29/2010
Sector	Electricity, Heating & Cooling, Transport
Contact Authority	Energy Agency (ADENE)
Description	<p>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.</p> <p>The Resolution 29/2010 approved the National Energy Strategy (ENE) 2020 and launched a campaign to disseminate the strategy. According to the Portuguese NREAP, the campaign to disseminate the National Energy Strategy comprises the organization of seminars, meetings, and sessions to present "best practices".</p>
Addressees	<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>
Competent authority	<p>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).</p> <p>With regards to the campaign to disseminate the National Energy Strategy, the Cabinet Resolution RCM 29/2010 and the</p>



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	NREAP do not refer to the competent authority to implement it.
Further information	Official website of the Fund to Support Innovation (FAI): http://fai.pt/



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RES-H building obligations

Abbreviated form of legal source(s)	<ul style="list-style-type: none"> DL 80/2006 (RCCTE)
Sector	Heating & Cooling
Contact Authority	Directorate General for Geology and Energy (DGEG), Energy Agency (ADENE)
Description	<p>DL 80/2006 on the Regulation for the Characteristics of the Thermal Behaviour of Buildings (RCCTE) introduces the obligation to use solar thermal collectors for heating water in buildings addressed under the RCCTE rules (art. 2 DL 80/2006). The obligation is applicable whenever there is "suitable solar exposure" (defined by art. 7(3) RCCTE) and relates to a minimum area of solar panels (1m² of panel per occupant according to art. 7(2) RCCTE). Annex II of DL 80/2006 defines sanitary hot water as „potable water with a temperature above 35 ° C used for baths, cleaning, cooking and other purposes".</p> <p>According to art. 7(4) RCCTE, 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>
Obligated entities	<p>All 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>Art. 2(9) lists the buildings excluded from the scope of the RCCTE and, according to art. 7(5) RCCTE, a joint Order (Portaria conjunta) of some ministers (economy, construction, environment, and spatial planning and housing) may exempt certain types of buildings from meeting the requirements specified by DL 80/2006.</p>



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	A qualified expert (architect, engineer or engineering technician) assess the compliance with the requirements of the RCCTE (art. 13 RCCTE).
Competent authority	The RCCTE is part of the National System for Energy Certification and Interior Air Quality in Buildings (SCE). Therefore, at the national level, the Directorate General for Geology and Energy (DGEG) is in charge of the supervision of the SCE (art. 5 DL 78/2006) and the Energy Agency (ADENE) is in charge of the management of the system (art. 6 DL 78/2006).
Further information	Information available at the websites of ADENE (www.adene.pt) and DGEG (www.dgeg.pt/).
Obligation on regional level	DL 80/2006 is also applicable in the Autonomous Region of Madeira and the Autonomous Region of the Azores (art. 2 DL 80/2006).



Support of RES-H infrastructure

Abbreviated form of legal source(s)	
Description	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".
Addressees	
Competent authority	
Further information	