

Legal Flash

January 2023

COUNCIL REGULATION (EU) 2022 /2577

Council Regulation (EU) 2022/2577 laying down a framework to accelerate the deployment of renewable energy projects was adopted on 22 December 2022 and it is directly applicable in all Member-States.

This Regulation establishes temporary rules of an emergency nature to accelerate the permit-granting process applicable to the production of energy from renewable energy sources, with a particular focus on specific renewable energy technologies or types of projects which are capable of achieving a short term acceleration of the pace of deployment of renewables in the European Union.

In this context, and in order to tackle the exposure of European consumers and businesses to high and volatile prices which are causing economic and social hardship, to ease the required reduction in energy demand by replacing natural gas supplies with energy from renewable sources and to increase security of supply, the European Union takes targeted measures to accelerate the deployment of renewable energy sources.

The key aspects of the new Regulation are summarised below:

Overriding public interest

The construction and operation of Renewable Energy Sources projects and related grid infrastructure development are given priority when balancing legal interests in the individual case (e.g. biodiversity protection).

Accelerating the permit-granting process

It applies to all permit-granting processes that have a starting date within the period of Regulation's application (18 months), as well as to pending applications in Member-States.

The maximum deadline for granting a permit for the installation of solar energy equipment, co-located storage and grid connections in existing or future artificial structures created for purposes different from solar energy production should be of three (3) months.

For small installations (50 kW or less), the absence of a reply by authorities within one (1) month is considered for the permit as being granted.

For heat pumps below 50 MW, it shall not exceed one (1) month while for ground source heat pumps, three (3) months.

For the repowering of renewable energy power plants, it shall not exceed six (6) months including environmental impact assessments when required.

A simplified procedure for grid connections should be immediately established where the repowering results are in a limited increase in total capacity compared to the original project.

Member-States should be allowed to further shorten these deadlines.

Let's talk

For a deeper discussion of how the Council Regulation (EU) 2022/2257 might affect your business, please contact:

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This information is intended only as a general update for interested persons and should not be used as a basis for decision-making.

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