



STATUTORY INSTRUMENTS.

S.I. No. 237 of 2019



EUROPEAN UNION (RENEWABLE ENERGY) (AMENDMENT) (NO. 2)
REGULATIONS 2019

S.I. No. 237 of 2019

European Union (Renewable Energy) (Amendment) (No. 2) Regulations 2019

I, RICHARD BRUTON, Minister for Communications, Climate Action and Environment, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972), and for the purpose of giving further effect to Directive 2009/28 of the European Parliament and of the Council of 23 April 2009¹ as amended by Directive (EU) 2015/1513 of the European Parliament and of the Council of 9 September 2015², hereby make the following regulations:

1. These Regulations may be cited as the European Union (Renewable Energy) (Amendment) (No. 2) Regulations 2019.

2. The European Union (Renewable Energy) Regulations 2014 (S.I. No. 483 of 2014) are amended -

(a) in Schedule 1, in paragraph 3, by the substitution for “ Q_{usable} = the estimated total usable heat delivered by heat pumps fulfilling the criteria referred to the 2nd paragraph above implemented as follows: Only heat pumps for which $\text{SPF} > 1,15 * 1/ \eta$ shall be taken into account;” of the following:

“ Q_{usable} = the estimated total usable heat delivered by heat pumps fulfilling the criteria referred to the 2nd paragraph above implemented as follows: Only heat pumps for which $\text{SPF} > 1.15 * 1/ \eta$ shall be taken into account;”,

(b) in Schedule 3, by the insertion after paragraph 1 of the following paragraph:

“1A. For the purposes of paragraph 1, an installation shall be considered to be in operation if the physical production of biofuels or bioliquids has taken place.”,

(c) in Part C of Schedule 4, by the substitution for paragraph 7 of the following paragraph:

“7. Annualised emissions from carbon stock changes caused by land-use change, e_l , shall be calculated by dividing total emissions equally over 20

¹ OJ No. L. 140, 5.6.2009, p. 16

² OJ No. L. 239, 15.9.2015, p. 1

years. For the calculation of those emissions, the following rule shall be applied:

$$e_1 = (CS_R - CS_A) \times 3.664 \times 1/20 \times 1/P - e_B, *$$

where

e_1 = annualised greenhouse gas emissions from carbon stock change due to land-use change (measured as mass (grams) of CO₂-equivalent per unit biofuel or bioliquid energy (megajoules)). ‘Cropland’** and ‘perennial cropland’*** shall be regarded as one land use;

CS_R = the carbon stock per unit area associated with the reference land-use (measured as mass (tonnes) of carbon per unit area, including both soil and vegetation). The reference land-use shall be the land-use in January 2008 or 20 years before the raw material was obtained, whichever was the later;

CS_A = the carbon stock per unit area associated with the actual land-use (measured as mass (tonnes) of carbon per unit area, including both soil and vegetation). In cases where the carbon stock accumulates over more than one year, the value attributed to CS_A shall be the estimated stock per unit area after 20 years or when the crop reaches maturity, whichever is the earlier;

P = the productivity of the crop (measured as biofuel or bioliquid energy per unit area per year); and

e_B = bonus of 29 gCO_{2eq}/MJ biofuel or bioliquid if biomass is obtained from restored degraded land under the conditions provided for in paragraph 8.

*The quotient obtained by dividing the molecular weight of CO₂ (44.010 g/mol) by the molecular weight of carbon (12.011 g/mol) is equal to 3.664.

**Cropland as defined by IPCC.

***Perennial crops are defined as multi-annual crops, the stem of which is usually not annually harvested such as short rotation coppice and oil palm.”,

and

(d) in Part C of Schedule 4, in paragraph 19, by the substitution for “83,8 gCO_{2eq}/MJ” of “83.8 gCO_{2eq}/MJ”.



GIVEN under my Official Seal,
30 May 2019.

RICHARD BRUTON
Minister for Communications, Climate Action and
Environment

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