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| **Date** | **Rules in force** |
| **As from 31 December 2022** | Emergency Regulation on Permitting from 2022*(rules that will continue when RED III will take over)*   * **What a permitting procedure encompasses is clearer**: grid connection permits and EIA assessment must also be delivered withing the timeline. * **Permits for repowering projects with max 15% capacity increase** must be delivered within three months. * **EIA for repowering projects** must be limited to additional impacts compared to the initial project. * **For already designed RES areas** that have been subject to an SEA, wind projects can be exempted from doing an EIA. |
| **From 31 December 2022 until 30 June 2024** | Emergency Regulation on Permitting from 2022*(rules that will stop when RED III will take over)*   * **Permits for repowering projects** must be delivered in 6 months. * **Overriding public interest** for RES but MS may exempt some technologies or parts of the territories without justification. |
| **From 31 December 2022 until 30 June 2025** | Emergency Regulation on Permitting from 2022*(rules that are extended in 2023 and will overrule the ones of RED until 2025)*   * The RES projects (+ grid related etc.) recognised as being of **overriding public interest** should be given priority when balancing legal interest in the individual case. **This is not only limited to Environmental rules of the Birds and Habitat Directive but could also be conflicts with other legal interests**. |
| **From 11 January 2024 until 30 June 2025** | Emergency Regulation on Permitting from 2023*(additional rules created in 2023 that do not exist in RED III. We’ll need to see what happens after 30 June 2025)*   * Definition of what an ‘**Absence of alternative or satisfactory solutions**’ means |
| **As from 1 July 2024** | RED III*(Please also refer to RED III briefing for the detail of all permitting provisions)*   * The Commission will be able to chase Member States for not having implemented the directive. * Should Member States want to exempt certain technologies or parts of their territories from the application of the **overriding public interest** form RES, they must notify and justify it to the Commission. * **Permitting deadlines**:   + New projects: **1y for new projects, 2y for new offshore projects, extendable by 6 months under extraordinary circumstances.**   + Repowering projects: **6 months for onshore projects, 1y for offshore projects, extendable by 6 months under extraordinary circumstances.** * **Positive silence** is possible for countries where the concept exists. It means that in the absence of response of the administration within the deadline, the answer is deemed approved. |