



## ORDER

No. 425/2025

**regarding the amendment and supplementation of the Annex to the Order of the Minister of Energy no. 1120/2024 regarding the approval of the State aid scheme in the form of Contracts for Difference for the production of electricity from renewable sources of onshore wind and solar photovoltaic energy**

### **Given:**

Report of the General Directorate for Energy Policies no. 250415/25.04.2025 and of the General Directorate for Investments no. 234807/25.04.2025 on the approval of the amendment and completion of the Annex to the Order of the Minister of Energy no. 1120/2024 regarding the approval of the State aid scheme in the form of Contracts for Difference for the production of electricity from renewable sources of onshore wind and solar photovoltaic energy, with subsequent amendments;

**on the basis of** art. 4 letter a) of G.D. no. 318/2024 on the approval of the general framework for the implementation and functioning of the Contracts for Difference support mechanism for low carbon technologies and art. 10 para. (6) of G.D. no. 316/2021 regarding the organisation and functioning of the Ministry of Energy, with subsequent amendments and supplements,

**the minister of energy issues the present**

### **Order**

**Art.I.** – The Annex to the Order of the Minister of Energy no. 1120/2024 regarding the approval of the State aid scheme in the form of Contracts for Difference for the production of electricity from renewable sources of onshore wind and solar photovoltaic energy, published in the Official Gazette of Romania, Part I, no. 762 of August 5, 2024, as subsequently amended, is amended and supplemented as follows:

- 1. In Article 1, para. (6), after letter g), a new letter, h), is inserted, with the following content:**

”(h) compliance with the ”do no significant harm (DNSH)” principle provided under Article 17 of Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088;”

- 2. In art. 1, after para. (7), a new paragraph, (8), is inserted, with the following content:**

”(8). Compliance with the technical guidance provided in the Communication from the European Commission – Technical guidance on the application of the 'do no significant harm' principle under the Recovery and Resilience Facility Regulation (2021/C 58/01) and Commission Delegated Regulation (EU) 2021/2139 shall be envisaged throughout the life cycle of the electricity generation capacity from wind and solar renewable energy sources pursuant to Regulation (EU) 2020/852. ”;

**3. Art. 4 is amended and shall have the following content:**

**”Art 4. Beneficiaries:**

The CfD scheme is addressed to micro, small and medium-sized enterprises and large enterprises, including newly established enterprises constituted in accordance with the relevant legislation of the member state where they are established, which have as their main or secondary activity, as registered in the company’s statute, the activity related to the production of electricity, corresponding to division 35: “Production and supply of electricity and thermal energy, gas, hot water and air conditioning”, NACE class 3512 – Production of electricity from renewable resources. Credit and financial institutions cannot be the direct recipients of state aid under this CfD scheme, specifically meaning that such institutions cannot be the entity entering into the CfD contract.”

**4. Article 5, letter b) is amended and shall have the following content:**

”b) the applicant has, as primary or secondary activity, as registered in the company's statute, the production of electricity. If the applicant is a Romanian company, the primary or secondary activity shall correspond to division 35: "Production and supply of electricity and thermal energy, gas, hot water and air conditioning", NACE class 3512 - Production of electricity from renewable resources.”

**5. Art. 7 para. (6) it is repealed.**

**6. After Article 7, a new Article, 7<sup>1</sup>, is inserted, with the following content:**

**”art. 7<sup>1</sup> DNSH supporting document**

In order to comply with the DNSH principle, the beneficiary shall submit an affidavit and a self-assessment questionnaire in accordance with the form in the Annex which is an integral part of this State aid scheme.”

**7. Art. 19 para. (2) it is repealed.**

**8. After Article 26, an annex is inserted, with the content provided in the annex that forms an integral part of this order.**

**Art. II.** - Within 30 days from the date of entry into force of this order, the beneficiaries of the Contracts for Difference (CfD) in the first CfD auction shall submit to the CfD Counterparty an affidavit regarding compliance with the "Do No Significant Harm (DNSH)" principle and a

self-assessment questionnaire, in accordance with the provisions of Art. 7<sup>1</sup> of the Order of the Minister of Energy no. 1120/2024 regarding the approval of the State aid scheme in the form of Contracts for Difference for the production of electricity from renewable sources of onshore wind and solar photovoltaic energy, with subsequent amendments, including those brought by this order.

**Art. III.** - Within 30 days from the transmission of the CfD Contract by the CfD Counterparty, the CfD beneficiaries of the second CfD auction shall submit to the CfD Counterparty an affidavit regarding compliance with the DNSH principle and a self-assessment questionnaire, in accordance with the provisions of art. 7<sup>1</sup> of the Order of the Minister of Energy no. 1120/2024 regarding the approval of the State aid scheme in the form of Contracts for Difference for the production of electricity from renewable sources of onshore wind and solar photovoltaic energy, with subsequent amendments, including those brought by this order.

**Art. IV.** The Ministry of Energy and the Operator of the CfD scheme – the National Electricity Transmission Company TRANSELECTRICA S.A. shall carry out the provisions of this order.

**Art. V.** - This order is published in the Official Gazette of Romania, Part I and on the website of the Ministry of Energy, <https://energie.gov.ro/>, within the section dedicated to the Contract for Difference

**Art. VI.** - The provisions of this order shall enter into force from the date of publication in the Official Gazette of Romania, Part I.

**Minister of Energy**  
**Sebastian-Ioan BURDUJA**