

PORTUGUESE RENEWABLE'S LEGAL UPDATE

The second half of 2025 saw the adoption of a number of legislative and regulatory measures in Portugal. Among the most relevant was the abolition of the clawback mechanism. Introduced in 2013, the clawback consisted of a financial compensation charged to electricity producers, intended to offset perceived distortions in the Iberian electricity market resulting from differences between Portuguese and Spanish taxation, and which has been widely contested by market players. Its repeal, effective as from the 2025 financial year, puts an end to a long-standing charge on producers and represents an important step towards improved investment conditions in the Portuguese renewable market.

Alongside the end of this long-standing mechanism, national lawmakers and regulators adopted several measures of relevance to renewable energy projects, including the launch of new licensing and competitive procedures for biomass power plants, important clarifications on the environmental and licensing framework applicable to energy storage projects, the approval of a new legal and regulatory framework for electric mobility, as well as initiatives addressing grid capacity constraints, energy efficiency and the mitigation of energy poverty.

Set out below is an overview of the main legislative and regulatory developments adopted in Portugal between July and December 2025 that are of particular relevance to the renewable energy sector.

I. National Legislation

Order No. 8030/2025 (14.07.2025)

Establishes rules, amounts and model for the security deposit to be provided by producers when reserving injection capacity into the national gas grid.

Decree-Law No. 93/2025 (14.08.2025)

Establishes the legal framework for electric mobility, applicable to the organization, access to and exercise of activities related to electric mobility.

For more information on this subject, please refer to our [newsletter](#) of 26 August 2025.

Order No. 71/SEAEEn/2025 (30.09.2025)

Extends by 12 months the deadlines for (i) projects holding production licenses issued under Decree-Law No. 15/2022, as well as to certificates for generation units of up to 1 MW capacity.

For more information on this subject, please refer to our [newsletter](#) of 10 October 2025.

Ordinance No. 323/2025/I (03.10.2025)

Sets the amounts of the fees payable in connection with the prior administrative control procedures applicable to the activity of electricity and mechanical energy generation and the production of useful heat in cogeneration.

Resolution No. 156/2025 (09.10.2025)

Establishes the governance model for the implementation of the National Energy and Climate Plan 2030, as well as the governmental framework for the monitoring and implementation of the Climate Framework Law.

Ordinance No. 358/2025/I (13.10.2025)

Establishes the procedural requirements for applications for production and operation licenses of biomass power plants.

For more information on this subject, please refer to our [newsletter](#) of 23 October 2025.

Order No. 12554/2025 (27.10.2025)

Sets the final compensation to be applied for the year 2024 per unit of energy injected into the public electricity grid, under the clawback mechanism.

Decree-Law No. 120/2025 (14.11.2025)

Amends Decree-Law No. 80/2023, of 6 September which establishes the exceptional procedure for the allocation of grid connection capacity to electricity consumption installations in high-demand areas.

Ordinance No. 425/2025/I (27.11.2025)

Establishes the terms of the competitive procedure for the allocation of injection capacity reservation rights in the public service electricity grid for new biomass power plants.

Ordinance No. 442-A/2025/I (12.12.2025)

Provides for the launch of a financial instrument to support energy efficiency measures in the residential sector, contributing to the reduction of energy poverty in Portugal, under the Recovery and Resilience Plan.

Decree-Law No. 139-B/2025 (30.12.2025)

Abolishes the clawback mechanism established by Decree-Law No. 74/2013 of 4 June and repeals the relevant regulatory framework as from the 2025 financial year.

Ordinance No. 481/2025/I (31.12.2025)

Establishes a support scheme for investments in equipment and infrastructure in the areas of energy efficiency, energy production and energy storage for the agricultural sector.

2. DGEG rulings

Joint Order No. 1 by DGEG and APA (30.07.2025)

Amends the rules established by the Joint Order of 14 July 2023 governing the Environmental Impact Assessment and Capacity Reservation Title procedures, by providing that network operators may issue the declaration of injection capacity in the Public Service Electricity Grid for applications to Environmental Impact Assessment for standalone storage project

For more information on this subject, please refer to our [newsletter](#) of 5 August 2025.

Joint Order No. 2 (31.07.2025)

Addresses and clarifies the procedures for the licensing and environmental assessment of electrical energy storage facilities, determining the situations in which storage projects are not subject to Environmental Impact Assessment nor to a case-by-case analysis.

For more information on this subject, please refer to our [newsletter](#) of 5 August.

Clarification Notice No. 5/DG/2025 (29.09.2025)

Clarifies Joint Order No. 2., by providing that the inclusion of a storage installation within a renewable power plant previously deemed exempt from Environmental Impact Assessment or from case-by-case analysis is likewise exempt, provided that it is located within the same project area as originally licensed.

Order No. 1265/2025 (28.10.2025)

Establishes the technical standards to be observed in the installation and operation of closed distribution networks.

Notice No. 28099/2025/2 (12.11.2025)

Call for applications to the Modernisation Fund – Private Sector.

For more information on this subject, please refer to our [newsletter](#) of 27 November 2025.

Rectification Notice No. 1101/2025/2 (02.12.2025)

Rectifies Notice No. 28099/2025/2 and extends the deadline for the submission of applications until 15 December 2025.

3. ERSE rulings

Directive No. 8/2025 (30.07.2025)

Approves the network access tariffs applicable to facilities holding electro-intensive customer status.

For more information on this subject, please refer to our [newsletter](#) of 29 July 2025.

Regulation No. 987/2025 (13.08.2025)

Approves the Guide on Measurement, Meter Reading and Data Provisioning for the Electricity Sector.

Directive No. 9/2025 (11.09.2025)

Approves the Procedures Manual for the Global System Management of the Electrical Sector.

Directive No. 10/2025 (24.10.2025)

Approves exceptional rules governing the settlement of the electricity market for 28 and 29 April 2025.

Regulation No. 1218/2025 (07.11.2025)

Approves the Tariff Regulation for the electricity sector.

Directive No. 11/2025 (18.11.2025)

Approves the Manual of Procedures for the Activity of Registration and Bilateral Contracting of Electricity, which rules the operation of the OMIP platform for energy bilateral contracting.

For more information about the OMIP platform, please refer to our [newsletter](#) of 20 November 2025 and to our [paper](#) of 25 June 2025.

Regulation No. 3/2025 (22.12.2025)

Approves the new Electric Mobility Regulation.

Directive No. 12/2025 (29.12.2025)

Approves the tariffs of the Electric Mobility Network Managing Entity for 2026.

Directive No. 12-A/2025 (30.12.2025)

Approves the allocation of funding for the costs of the social tariff for the year 2026, together with adjustments relating to the years 2024 and 2025.

4. Public consultations

Public Consultation on Renewable Energy Targets (25.09.2025)

Partial transposition of Directive (EU) 2023/2413 of the European Parliament and of the Council of 18 October 2023 (RED III Directive), which updates the national targets for the incorporation of renewable energy up to 2030.

The public consultation closed on 25 October 2025, but report and documents not yet available.

For more information on this subject, please refer to our [newsletter](#) of 29 September 2025.

Public Consultation on amendments to the National Electricity System Law (03.10.2025)

Partial transposition of Directive (EU) 2023/2413 of the European Parliament and of the Council of 18 October 2023 (RED III Directive), that introduces amendments to the National Electricity System framework enacted by Decree-Law No. 15/2022, of 14 January.

The public consultation closed on 23 October 2025, but report and documents not yet available.

For more information on this subject, please refer to our [newsletter](#) of 20 October 2025.

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