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Buenos Aires, Argentina

New legal reporting requirements for voluntary schemes

The RTRS commits to regularly (at least annually) report to the European Commission on its activities and the status of RTRS EU RED module. Reporting shall comply with the requirements specified in Article 18 No. 5 and No. 6 of the RED. The reporting provides information about the operation of the “voluntary schemes” and will be made public in order to increase transparency and to improve oversight by the Commission.

Reporting to the European Commission includes the following aspects:

- a) the independence, modality and frequency of audits, both in relation to what is stated on those aspects in the scheme documentation, at the time the scheme concerned was approved by the Commission, and in relation to industry best practice;
- b) the availability of, and experience and transparency in the application of, methods for identifying and dealing with non-compliance, with particular regard to dealing with situations or allegations of serious wrongdoing on the part of members of the scheme;
- c) transparency, particularly in relation to the accessibility of the scheme, the availability of translations in the applicable languages of the countries and regions from which raw materials originate, the accessibility of a list of certified operators and relevant certificates, and the accessibility of auditor reports;
- d) stakeholder involvement, particularly as regards the consultation of indigenous and local communities prior to decision making during the drafting and reviewing of the scheme as well as during audits and the response to their contributions;
- e) the overall robustness of the scheme, particularly in light of rules on the accreditation, qualification and independence of auditors and relevant scheme bodies;



f) market updates of the scheme, the amount of feedstocks (raw materials) and biofuels certified, by country of origin and type, the number of participants. Market update data will be submitted in the format specified by the Commission¹

g) the ease and effectiveness of implementing a system that tracks the proofs of conformity with the sustainability criteria that the scheme gives to its member(s), such a system intended to serve as a means of preventing fraudulent activity with a view, in particular, to the detection, treatment and follow-up of suspected fraud and other irregularities and where appropriate, number of cases of fraud or irregularities detected;

h) options for entities to be authorised to recognise and monitor Certification Bodies;

i) criteria for the recognition or accreditation of Certification Bodies;

j) rules on how the monitoring of the Certification Bodies is to be conducted;

k) ways to facilitate or improve the promotion of best practice.

The first report shall be submitted to the Commission following the re-approval of RTRS by the European Commission and annually thereafter by 30 April. RTRS will send out a data template to the System Users to collect the necessary information on the market update of the scheme. This includes, inter alia, the amount of feedstocks (raw materials) and biofuels certified according to RTRS in the previous calendar year by country of origin and type of feedstock (raw material).

RTRS will provide the data template three months in advance and System Users are obliged to fill in the template truthfully and completely. System Users shall return the completed data template to RTRS within 30 calendar days after the data template has been provided by RTRS.

RTRS will treat all information received from individual System Users as confidential.

¹ <https://ec.europa.eu/energy/en/topics/renewableenergy/biofuels/voluntary-schemes>