

COMMUNICATION OF THE MINISTRY OF THE ENVIRONMENT, DEPARTMENT OF AIR PROTECTION

on the registration of certification bodies conducting the certification of biofuels, renewable fuels of non-biological origin and recycled carbon fuels in the territory of the Czech Republic within voluntary schemes

Date 07. 03. 2025

On March 1, 2025, Act No. 42/2025 Coll. entered into force, amending Act No. 201/2012 Coll., on air protection.

Pursuant to § 21a sec. 2¹ of Act No. 201/2012 Coll., on air protection (hereinafter referred to as the "Air Protection Act") a certification body within the meaning of Commission Regulation (EU) 2022/996² may provide certification audit in the territory of the Czech Republic only after prior registration with the Ministry of the Environment of the Czech Republic (hereinafter referred to as the "MoE CZ"). This applies to certification bodies verifying compliance with sustainability criteria and greenhouse gas emission savings for biofuels, as well as verifying compliance with greenhouse gas emission savings criteria for renewable fuels of non-biological origin and recycled carbon fuels within voluntary schemes approved by the European Commission pursuant to Article 30(5) of Directive (EU) 2018/2001 of the European Parliament and of the Council on the promotion of the use of energy from renewable sources.

The requirement for certification body registration before providing certification audit takes effect on May 1, 2025.

The registration obligation applies only to certification bodies conducting the verification for entities defined in § 21 sec. 1 to 4 and § 21c sec. 1 and 2 of the Air Protection Act (entities selling biomass intended for biofuel production, intermediates intended for biofuel production, biofuels, renewable fuels of non-biological origin, and recycled carbon fuels). This obligation does not apply to certification bodies verifying compliance with sustainability criteria and greenhouse gas emission savings for solid biomass or biomethane.

The MoE CZ will register a certification body in the register of authorized certification bodies without delay after receiving documents from the certification body proving that it has been authorized to conduct verification by a voluntary scheme approved by the European Commission under Article 30(5) of Directive (EU) 2018/2001 on the promotion of the use of energy from renewable sources.

For the MoE CZ to properly assess the registration request, it should include:

1. Identification details of the certification body:

- a) Business name or company name, registered office, and identification number (if assigned); for a foreign entity, also the location of the company's branch in the Czech Republic, if established,
- b) First name and surname of the responsible representative,
- c) Identification of the voluntary scheme on behalf of which the certification activities are authorized to be carried out,

¹ Effective from January 1, 2026, the obligations of certification bodies will be regulated by § 21b of the Air Protection Act.

² Commission Implementing Regulation (EU) 2022/996 of June 14, 2022, on the rules for verifying sustainability criteria and greenhouse gas emission savings criteria, and criteria for low risk of indirect land-use change.

- d) Scope of certification activities³,
- e) Telephone number and email address of the responsible representative.

2. Reason for the application:

For example: "Our company has been authorized by the voluntary scheme (*specify the name of the voluntary scheme*) approved by the European Commission under Article 30(5) of Directive (EU) 2018/2001 on the promotion of the use of energy from renewable sources to conduct verification of compliance with sustainability criteria and greenhouse gas emission savings for biomass intended for biofuel production, intermediates intended for biofuel production, biofuels, renewable fuels of non-biological origin, and recycled carbon fuels (*specify only the products for which you are authorized to perform certification*). For this reason, we request the Ministry of the Environment of the Czech Republic to register us in the register of certification bodies authorized to carry out this activity in the territory of the Czech Republic, which is maintained by the Ministry of the Environment of the Czech Republic pursuant to § 21a sec. 2 of Act No. 201/2012 Coll., on air protection".

3. A copy of the document authorizing the certification body to perform certification activities on behalf of the voluntary scheme.

The application for registration is sent to the Air Protection Department of MoE CZ. After processing the application, the applicant will be entered into the registry of certification bodies authorized to carry out the verification of compliance with sustainability criteria and greenhouse gas emission savings according to § 21 sec. 12 of the Air Protection Act and the greenhouse gas emission savings criteria according to § 21c sec. 4 of the Air Protection Act, managed by MoE CZ, published on the MoE CZ website⁴. A decision will be issued regarding the entry into this registry.

From May 1, 2025, registered certification bodies will have the following obligations under § 21a sec. 2 of the Air Protection Act:

- a) Immediately after the issuance of a certificate, send its copy to MoE CZ,
- b) Notify MoE CZ of the verification of compliance with sustainability criteria according to § 21 sec. 12, in the territory of the Czech Republic before starting the verification, including the date and place of verification and the identification details of the verified person⁵,
- c) Provide MoE CZ, upon request, with all data and documents provided by the verified person for the purpose of verification according to point b),
- d) Allow MoE CZ and the Ministry of Agriculture of the Czech Republic, or a person authorized under § 36 of the Air Protection Act, to participate in the verification and after

³ For example, the entire supply chain of biofuel production and use, the production of renewable fuels of non-biological origin, etc.

⁴ Only the identification details of the certification body mentioned in point 1, letters a), c), and d), and the information about the legal force of the decision will be published.

⁵ Effective from January 1, 2026, the provision (designated as Section 21b, letter b) will read as follows: "Notify the ministry of the verification of compliance with sustainability criteria and greenhouse gas emission savings criteria according to Section 21, paragraph 12, and the verification of compliance with greenhouse gas emission savings criteria according to Section 21c, paragraph 4, in the territory of the Czech Republic before starting the verification, including the date and place of verification and the identification details of the verified person."

the verification is completed provide MoE CZ in writing with the conclusions of the verification, including the documentation on which the conclusions were based, and

e) Send MoE CZ an annual summary report by February 28 each year, containing all the verifications carried out by the certification body in the territory of the Czech Republic in the previous calendar year, including the conclusions of each individual verification.

Copies of issued certificates, notifications of planned verifications, and any necessary data for verification should be sent to the Air Protection Department of the Ministry of the Environment of the Czech Republic. Sending them electronically with a recognized electronic signature or via a Data Box is preferred. Copies of issued certificates are sufficient to be sent retrospectively for the previous quarter, and the audit plan should be sent with a quarterly outlook.

Ing. Kurt Dědič
ředitel odboru ochrany ovzduší
podepsáno elektronicky