



SUSTAINABILITY GUARANTEE

Use Case Document

Version 2.0

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The Use Case Document is an integral part of the Call launched by the EIF for selection of Financial Intermediaries, under the Sustainability Portfolio Guarantee Product, as described in Annex IV (b).

All capitalised terms and expressions shall have the meaning attributed to them in the Call, or as may be defined in the relevant annexes hereto, as appropriate.

The main purpose of the Sustainability Guarantee is to *support the green transition of SMEs, Small Mid-caps and natural persons*. Consequently, the eligibility criteria were designed in the spirit of the EU Taxonomy for Sustainable Finance, adapted to the specific needs of the Targeted Final Recipients. However, these requirements are complex and in many cases technically detailed.

This document (the “Use Case Document”) has been agreed between the European Commission (the “EC”) and EIF, and the contents of this document includes relevant conditions, thresholds, minimum reduction levels, benchmarks, certificates and pre-defined lists of operations. A Final Recipient and/or Final Recipient Transaction that conforms with the relevant provisions of the Use Case Document shall be deemed to meet the Product Eligibility Criteria, as described in the terms and conditions of Annex IV (b) Sustainability Portfolio Guarantee Product.

In order to support the implementation of the Sustainability Guarantee and the application of the Use Case Document, EIB Group’s Green Checker available at <https://greenchecker.eib-group.org> offers EIF financial intermediaries the possibility to confirm compliance of their Final Recipient Transactions with the eligibility criteria specified in this Use Case Document.

In addition, EIF may publish a frequently asked questions document (“FAQs”) on its website based on questions received from Financial Intermediaries.

In this document:

“Control of Use of Funds” means: documentation evidencing the cost(s) of certain relevant expenditure such as in the form of invoices, purchase contracts, price quotation/technical offer, project implementation documents etc. or a combination thereof.

“PDF Report Technical Documentation” means a “PDF Report generated by the EIF InvestEU Sustainability Guarantee Tool” confirming the eligibility of specific measure/s under the EIF InvestEU Sustainability Guarantee. It should be noted that whenever available, the PDF Report Technical Documentation generated by the EIF InvestEU Sustainability Guarantee Tool serves as proof of compliance with the eligibility criterion applicable in each case.

“Other Technical Documentation” means documentation other than “PDF Report Technical Documentation” used to confirm the eligibility of an investment with certain thresholds, parameters, minimum reduction levels, certifications, etc. as further specified under the relevant eligibility criteria.

“Technical Documentation” means “PDF Report Technical Documentation” or “Other Technical Documentation” as the case may be.

“External Professional Certifier” is any entity, irrespective of its legal form, that is:

- i. independent from the Final Recipient,
- ii. qualified to perform the required eligibility assessments (thresholds verifications, technical calculations, etc), including holding any professional qualifications required by local law, and
- iii. regularly carrying out such activities on a professional basis.

For the avoidance of doubt, the employees of the Financial Intermediary can act as an External professional Certifier, provided the conditions from the definition above are complied with.

Taxonomy DA/ Climate DA Annex means Annex I of the commission delegated regulation C(2021)2800 supplementing Regulation (EU) 2020/852 of the European Parliament and of the Council.

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Sustainability Guarantee eligibility criteria

1| Sustainable enterprise criteria

1.1| Prize and/or Public support previously received

Eligibility Criteria no 1.1

The Final Recipient has been awarded within the last 3 years a clean-tech or "green" prize, grant or funding from an EU/National institution/body/support scheme, from a pre-defined list, and the purpose of the Final Recipient Transaction is to maintain or further develop the activity of the Final Recipient.

WHO is eligible:

Target Final Recipients that:

- 1) Have been awarded clean-tech or "green" prize from EU/National institution/body/support scheme from the list displayed on the EIB Group Green Checker webpage¹, as may be updated from time to time or have received grant or funding under the EIC Green Deal; OR
- 2) Have projects that were judged to receive funding, but did not get it due to budget limitations (EIC Green Deal Seal of excellence label²);

HOW is the eligibility confirmed:

The assessment of the Final Recipient Transaction eligibility is based on:

- ✓ Documents that state the award of the clean-tech or "green" prize from the awarding entity; OR
- ✓ Documents that confirm the EIC Green Deal grant or funding received; OR
- ✓ Documents that confirm the EIC Green Deal Seal of excellence label received; OR
- ✓ Public/official website stating the award, grant, funding or label in the name of the Final Recipient;

AND

- ✓ Self-declaration from the Final Recipient stating that the purpose of the Final Recipient Transaction is to maintain or further develop the activity.

WHEN should the assessment be made:

Prior to loan signature.

¹ Available at: [\[https://api.greengateway.eib.org/media/EIF/List_of_clean-tech_and_green_prizes.pdf\]](https://api.greengateway.eib.org/media/EIF/List_of_clean-tech_and_green_prizes.pdf)

² https://ec.europa.eu/info/research-and-innovation/funding/funding-opportunities/seal-excellence_en.

1.2| Clean energy/climate related intellectual property right

Eligibility Criteria no 1.2

The Final Recipient has registered within the last 3 years, at least one renewable energy or clean-tech-related technology or other relevant technology right related to climate and environmental sustainability and the purpose of the Final Recipient Transaction is to enable, directly or indirectly, the use of this technology right.

WHO is eligible:

Target Final Recipients that have registered a renewable energy, clean-tech or climate-related technology or other relevant technology intellectual property right, such as patent, utility model, design right, topography of semiconductor products software copyright, etc, and the purpose of the Final Recipient Transaction is to finance any activity that leads to the internal or external exploitation of such technology right (e.g. resulting in protecting products or processes of the company, out-licensing or cross-licensing activities, starting spin-offs or joint ventures or building strategic alliances with other organizations).

The sole registration of the technology right does not make the Final Recipient Transaction automatically eligible.

HOW is the eligibility confirmed:

The assessment of the Final Recipient Transaction eligibility is based on:

- ✓ Document that states the clean-tech / climate-related intellectual property right, including by means of self-declaration; OR
- ✓ Final Recipient's registered patent/right is checked by the Financial Intermediary on official websites, online patent registers and/or gazettes³;

AND

- ✓ Self-declaration from the Final Recipient stating that the Final Recipient Transaction is to enable, directly or indirectly, the use of this technology right.

WHEN should the assessment be made:

Prior to loan signature.

³ Such as <https://www.epo.org/searching-for-patents/technical/espacenet.html>

1.3| Eco-label business

Eligibility Criteria no 1.3

The Final Recipient has registered, an eco-label from an EU, national or international, environmental, labelling scheme from a pre-defined list and the purpose of the Final Recipient Transaction is to maintain or further develop the activity of the Final Recipient.

WHO is eligible:

Target Final Recipients that:

- ✓ have registered an EMAS (EU Eco-Management and Audit Scheme); OR
- ✓ have registered an EU Ecolabel; OR
- ✓ are organic certified operators

AND

- ✓ the purpose of the Final Recipient Transaction is to maintain or further develop the related activity of the Final Recipient.

HOW is the eligibility confirmed:

The assessment of the Final Recipient Transaction eligibility is based on:

- ✓ In the case of the EMAS or EU Ecolabel (see applicable products in [EU Ecolabel Product Catalogue](#)⁴), document that states the registration valid at the time of assessment, including by means of self-declaration; OR
- ✓ In the case of organic certified operators, the certificate publicly available in the TRACES organic operator certificate system⁵;

AND

- ✓ Self-declaration from the Final Recipient stating that the Final Recipient Transaction is to maintain or further develop the activity of the Final Recipient.

WHEN should the assessment be made:

Prior to loan signature.

⁴ Available at: <https://environmental-data.ec.europa.eu/ecolabel/index.html>

⁵ Available at: <https://webgate.ec.europa.eu/tracesnt/directory/publication/organic-operator/index#!?sort=-issuedOn>.

1.4| Sustainable/Green business/supply chain

Eligibility Criteria no 1.4

The Final Recipient's main activity falls into one or more of the specified "green" activities, provided that Final Recipient's revenues from such green activities represent at least 90% of its turnover.

WHO is eligible:

Target Final Recipients demonstrating that at least 90% of their revenues in the most recent 12 month period for which financial information is available (or in the case of Target Final Recipients that are pre-revenue, such as start-ups, the projected 12 month revenue) are originated from one or more activities that fall within the following:

- (A) Renewable energy as per criteria number 2.1 of this document;
- (B) Energy Efficiency as per criteria numbers 2.2 and/or 2.4 of this document;
- (C) Zero and low emission mobility as per criteria number 2.5 of this document;
- (D) Green ICT as per criteria number 2.6 of this document;
- (E) Circular Economy, Waste Prevention and Recycling as per any sub-criteria numbers 4.1 to 4.4 of this document;
- (F) Water resources and Pollution Prevention as per criteria number 5.1 and/or 5.2 of this document;
- (G) Nature based solutions as per criteria number 6.1 of this document;
- (H) Agricultural and forestry activities as per criteria 7.1 and/or 7.2 of this document;
- (I) Professional/technical services enabling any of the above (A) – (H);

HOW is the eligibility confirmed:

The assessment of the Final Recipient Transaction eligibility is based on:

- ✓ Financial Intermediary's verification as per its underwriting process based on the most recent available 12 month period accounting information; OR
- ✓ Final Recipient's external accountant confirmation of the percentage of "green" activities revenues in the most recent 12 month period for which financial information is available; OR
- ✓ In the case of companies that are pre-revenue companies, the Final Recipient's business plan, including the reference to the green activity that it will contribute to and the precise revenue projections.

WHEN should the assessment be made:

Prior to loan signature.

1.5| Sustainable/Green Business model & impact

Eligibility Criteria no 1.5

The Final Recipient has incorporated in its business model “green” practices with externally verifiable climate and environmental positive impact.

WHO is eligible:

A Target Final Recipient that has incorporated in its business model “green” practices that pursue the transition to the “green/sustainable” economy, including but not limited to investments, processes and technologies with measured climate/environmental impact, within the following time-frame and thresholds:

1.5.1 Over a period of the last 5 years⁶, the Final Recipient has been reducing the carbon or environmental footprint of the company by proving:

- i. Reduction in GHG emissions per unit of output or per total revenue of at least 20%;
- OR
- ii. Decrease in energy use (kWh) per unit of output or per total revenue of at least 20%;
- OR
- iii. Decrease in the use of water per unit of output or per total revenue of at least 20% ;
- OR
- iv. Reduction in air (PM10/PM2.5/NOx) emissions per unit of output or per total revenue of at least 20%;

1.5.2 Over a period of the last 5 years, the Final Recipient has been substituting primary raw materials with min 20% secondary/recycled materials or substances, production residues or by-products.

HOW is the eligibility confirmed:

The assessment of the Final Recipient Transaction eligibility is based on:

For 1.5.1: Technical certification performed by an External Professional Certifier on the reduction as per each of the eligibility thresholds of:

- i. GHG emissions;

⁶ “Over a period of the last 5 years” should be interpreted as either: a) 5 previous complete calendar years, or b) other 5-year period ending within 12 months of the loan application date. However, if the company has existed between 4.5 and 5 years or more at the time of loan signature, it can still be eligible if it has met the required thresholds during that time.

- ii. energy use (kWh);
 - iii. use of water;
 - iv. air emissions;
- per unit of output or per total revenue (including, but not limited, through EMAS environmental statement); OR

For 1.5.2: Technical certification performed by an External Professional Certifier on the substitution of primary materials as per the threshold set in the eligibility criteria.

WHEN should the assessment be made:

Prior to loan signature.

1.6| Environmentally certified enterprise

Eligibility Criteria no 1.6

The Final Recipient has been certified with an environmental certificate standard from a pre-defined list valid at the time of application for the Final Recipient Transaction.

WHO is eligible:

Target Final Recipients that hold an ISO 50001 or EMAS certification and that is valid at the moment of the application for the Final Recipient Transaction.

HOW is the eligibility confirmed:

1. Document that states the corresponding environmental certificate issued and that is valid at the time of application for the Final Recipient Transaction; OR
2. Certifier's website where that environmental certificate in the name of the Final Recipient is stated.

WHEN should the assessment be made:

Prior to loan signature.

2| Investments for climate change mitigation

2.1| Renewable energy (RE)

Eligibility Criteria no 2.1

Investments in RE projects, production and/or transmission of RE, RE electricity storage solutions, RE heating and/or cooling systems, manufacturing of products, components and machinery for RE.

WHAT is eligible:

Investments in the purchase, storage, distribution, transmission, installation of equipment, systems, processes and/or RE components utilising renewable energy resources as described below.

Eligible renewable energy type:

2.1.1 Solar energy

- Energy generated through solar photovoltaics panels (PV)
- Energy generated through concentrated solar power (CSP) technology
- Heating and cooling solar thermal systems

Eligible investments examples:

- ✓ Solar panels and components;
- ✓ Solar thermal heating (space and water) systems and components;
- ✓ Solar thermal cooling systems and components;
- ✓ Hybrid systems pairing solar energy with other renewable energy sources;
 - All key and ancillary components, installation expenses and grid connection costs. Any investment related to the production of ancillary components for renewable energies is not eligible

2.1.2 Ocean Energy

Energy generated from wave or tidal conversion systems

Eligible investments examples:

- ✓ Wave or tidal turbines or components;
- ✓ Hybrid systems pairing ocean energy with other renewable energy sources;
 - All key and ancillary components, installation expenses and grid connection costs; Any investment related to the production of ancillary components for renewable energies is not eligible

<p>2.1.3 Wind energy</p> <p>Energy generated through wind turbines or wind energy conversion systems</p>	<p>Eligible investments examples:</p> <ul style="list-style-type: none"> ✓ Wind turbines and components; ✓ Hybrid systems pairing wind energy with other renewable energy sources; <ul style="list-style-type: none"> • All key and ancillary components , installation expenses and grid connection costs; Any investment related to the production of ancillary components for renewable energies is not eligible
<p>2.1.4 Geothermal</p> <p>Energy or heating generated from geothermal source</p>	<p>Eligible investments examples:</p> <ul style="list-style-type: none"> ✓ Geothermal heat pumps; ✓ Geothermal plants operating at life cycle emissions lower than 100 CO₂e/kWh; ✓ Hybrid systems pairing geothermal energy with other renewable energy sources. <ul style="list-style-type: none"> • All key and ancillary components,, installation expenses and grid connection costs; Any investment related to the production of ancillary components for renewable energies is not eligible
<p>2.1.8⁷ Bioenergy</p> <p>Energy and/or heating/cooling from bioenergy</p>	<p>Investment in facilities for the generation of (i) electricity generation, (ii) cogeneration of heat/cool and power, (iii) or production of heat/cool from bioenergy <50 MW, provided that they comply with the criteria contributing to climate change mitigation as follows:</p> <ol style="list-style-type: none"> 1. Agricultural biomass used in the activity complies with the criteria laid down in Article 29, paragraphs 2 to 5, of Directive (EU) 2018/2001. Forest biomass used in the activity complies with the criteria laid down in Article 29, paragraphs 6 and 7, of that Directive. 2. The greenhouse gas emission savings from the use of biomass are at least 80 % in relation to the GHG saving methodology and the relative fossil fuel comparator set out in Annex VI to Directive (EU) 2018/2001. <ul style="list-style-type: none"> • Points 1 and 2 do not apply to electricity generation installations, cogeneration or heat generation installations with a total rated thermal input below 2 MW and using gaseous biomass fuels.

⁷ Please note that the numbering used in this document is intentionally non-sequential. This has been done to ensure consistency with the previous reports and/or ongoing reporting requirements.

	<ul style="list-style-type: none"> Where the installations rely on anaerobic digestion of organic material, the production of the digestate meets the technical screening criteria under substantial contribution in Sections 5.6 and technical screening criteria under substantial contribution 1 and 2 of Section 5.7 of the EU Taxonomy DA –Annex 1, as applicable.
2.1.5 Renewable energy, (RE), installation transmission, distribution solutions	<p>Investments in:</p> <ul style="list-style-type: none"> ✓ Transmission, distribution, direct connection, equipment or expansion of an existing direct connection of renewable electricity generation; ✓ Equipment and infrastructure where the main objective is to increase the generation or introduce renewable electricity generation or create a hybrid renewable energy system; ✓ Mini-grids, smart grids and components; ✓ Equipment to increase the controllability and observability of the electricity system and enable the development and integration of renewable energy sources, this includes: <ul style="list-style-type: none"> ○ Sensors and measurement tools (including meteorological sensors for forecasting renewable production); ○ Sensors to detect biomethane leakages and equipment needed to reduce them; ○ Communication and control (including advanced software and control rooms, automation of substations or feeders, and voltage control capabilities to adapt to more decentralised renewable infeed); ○ Equipment to carry information to users for remotely acting on consumption; ○ Equipment to allow for exchange of renewable electricity between users; ○ Interconnectors between transmission systems, provided that one of the systems is eligible;
2.1.6 Renewable energy (RE) storage solutions	<ul style="list-style-type: none"> ✓ Thermal energy storage equipment; ✓ Biomethane and biogas storage capacities and equipment <ul style="list-style-type: none"> • Electricity storage equipments/Batteries for the use of mainly renewable energy resources
2.1.7 Manufacturing of RE products: key components and machinery	Any investment related to production, installation/assembly, increased capacity of manufacturing RE (only those types of RE specifically elaborated under eligibility 2.1.1-2.1.4 and 2.1.8) key components (including solar energy) and machinery. Any

investment related to the production of ancillary components for renewable energies is not eligible.

NB: this criterion does not apply to Final Recipients that are Natural Persons and/or Housing Associations.

HOW is the Final Recipient Transaction eligibility assessment made:

Type of energy	Threshold requirement	Eligibility check for Final Recipients which are SMEs and/or Small Mid-caps	Eligibility check for Final Recipients which are Natural Persons and/or Housing Associations
2.1.1 SOLAR	No specific eligibility/threshold applicable	1.PDF Report Technical Documentation; OR 2.Description of investment ⁸ ; AND 3. Control of Use of Funds together with legal covenants	1. PDF Report Technical Documentation; OR 2.Description of investment AND 3. Control of Use of Funds together with legal covenants
2.1.2 OCEAN	No specific eligibility/threshold applicable	1. Description of investment; AND 2. Control of Use of Funds together with legal covenants	1. Description of investment; AND 2. Control of Use of Funds together with legal covenants
2.1.3 WIND	No specific eligibility/threshold applicable	1.PDF Report Technical Documentation; OR 2.Description of investment; AND 3. Control of Use of Funds together with legal covenants	1. PDF Report Technical Documentation; OR 2.Description of investment AND 3. Control of Use of Funds together with legal covenants
2.1.4 GEOTHERMAL	Plants operating at life cycle emissions lower than 100gCO ₂ e/kWh	1.PDF Report Technical Documentation; OR 2.Technical Documentation with key technical data, in case of Plants; AND 3. Control of Use of Funds together with legal covenants	1. PDF Report Technical Documentation; OR 2.Technical Documentation with key technical data, in case of plants AND 3. Control of Use of Funds together with legal covenants
2.1.8	As per criteria	1.PDF Report Technical Documentation; OR	1.PDF Report Technical Documentation; OR

⁸ Description of investment" in this Section 2.1 means: an explanation of the investment measure including: the Additional renewable and other safe and sustainable zero and low-emission energy generation capacity installed (MW).

BIOENERGY		2. Technical Documentation with key technical data; AND 3. Control of Use of Funds together with legal covenants	2. Technical Documentation with key technical data; AND 3. Control of Use of Funds together with legal covenants
<p>✓ In case of ancillary components, document evidencing the costs; AND ✓ Control of Use of Funds together with legal covenants.</p>			
<p>2.1.5 RENEWABLE ENERGY (RE) TRANSMISSION AND DISTRIBUTION SOLUTIONS: The assessment of the Final Recipient Transaction eligibility is based on: ✓ Other Technical Documentation with key technical data; AND ✓ Control of Use of Funds together with legal covenants;</p>			
<p>2.1.6 RENEWABLE ENERGY (RE) STORAGE SOLUTIONS: The assessment of the Final Recipient Transaction eligibility is based on: ✓ PDF Report Technical Documentation; OR ✓ Description of investment AND ✓ Control of Use of Funds together with legal covenants</p>			
<p>2.1.7 MANUFACTURING OF RE PRODUCTS: KEY COMPONENTS AND MACHINERY: The assessment of the Final Recipient Transaction eligibility is based on: ✓ Other Technical Documentation with key technical data; AND ✓ Control of Use of Funds together with legal covenants;</p>			
<p>WHEN should the assessment be made:</p> <ul style="list-style-type: none"> • The purpose of the Final Recipient Transaction and related legal covenants shall be reflected at signature date within the final recipient transaction agreement signed between the Intermediary and the Final Recipient; • The Technical Documentation must be available prior to the disbursement; • The documentary evidence of the Control of Use of Funds must have been satisfied prior to the disbursement; <p>For the avoidance of the doubt, the same document may be used to evidence both the Technical Documentation and Control of Use of Funds, where such document includes the required information.</p>			

2.2| Green and energy efficient certified buildings – commercial

Eligibility Criteria no 2.2

Investment in the construction or renovation of commercial⁹ buildings, resulting in minimum qualifying energy performance, or meeting minimum thresholds.

WHAT is eligible:

2.2.1 Investment(s) in renovation of commercial buildings/building units:

(A) The building renovation complies with the applicable requirements for major renovations as set in the applicable national and regional building regulations implementing Directive 2010/31/EU (EPBD); OR

(B) Where savings in Primary Energy Demand (PED) are of at least 30% in comparison to the baseline performance of the building before the renovation, where the reductions in net primary energy demand through renewable energy sources are not taken into account.

Eligible investments in this category are those contributing to the energy efficiency improvement and ancillary works (including health and safety).

2.2.2 Investment(s) in renovation of commercial buildings from a pre-defined list of standardized building renovation measures/eligible equipment, concretely:

(A) Installation of individual measures:

- Insulation;
- window and door replacements;
- heating, ventilation and air conditioning equipment (HVAC); heating equipment based on fossil fuels are not eligible;
- replacement of boilers or stoves, except when based on fossil fuels;

Which comply with the minimum requirements set in the applicable national regulations transposing the Energy Performance Building Directive (EPBD) and also, in the case of products, comply with any applicable Commission implementing regulation under the eco-design Directive 2009/125/EC¹⁰.

(B) In addition to the above, the following individual measures are always considered eligible, if compliant with minimum requirements set for individual

⁹ For the purpose of the implementation of the Sustainability Guarantee product, Commercial buildings are understood to be any type of building other than residential buildings.

¹⁰ See overview of products groups regulated here: https://ec.europa.eu/info/energy-climate-change-environment/standards-tools-and-labels/products-labelling-rules-and-requirements/energy-label-and-ecodesign/energy-efficient-products_en.

components and systems in the applicable national measures implementing Directive 2010/31/EU (EPBD).

B.1. INSULATION MEASURES

- i. Insulation like external walls, roofs, green roofs and walls, lofts, basements, ground floors with low thermal conductivity, external cladding and roofing systems with U-value lower or equal to 0.3 W/(m²K). Energy efficient windows (U-value lower or equal than 1 W/(m²K). This includes measures to ensure air-tightness, measures to reduce the effects of thermal bridges adhesive, etc;
- ii. In the case of replacement of external doors with new energy efficient doors, they shall meet the minimum requirements set for doors in the applicable national regulations transposing the Energy Performance Building Directive (EPBD);

B.2 HEATING/COOLING MEASURES

- i. Heating, ventilation, and air conditioning (HVAC) and domestic hot water products or packages subject to an EU Energy Label requirement and rated in the highest two populated classes of energy efficiency, or in higher classes as laid down in a delegated act under Regulation (EU) 2017/1369 or Directive 2010/30/EU. Heating equipments based on fossil fuels are not eligible;
- ii. Zoned thermostats, smart thermostat systems (hardware, communication systems and programming software applications) and sensing equipment, e.g. motion and day light control;
- iii. Products for heat metering and thermostatic controls for individual homes connected to district heating systems and individual flats connected to central heating systems serving a whole building;
- iv. High-efficiency micro CHP (combined heat and power) plants fuelled with renewable energy (combined heat and power electricity capacity < 50 kW_{el});

B.3 BUILDING MEASURES

- i. Energy-efficient building automation and control systems for commercial buildings as defined according to the EN 15232 standard. E.g. Building Automation and Control Systems (BACS), Building Management Systems (BMS) and Energy Management Systems (EMS) e.g. All hardware, meters or sub meters, communication systems and software/programming needed for the supervision of the technical systems of the building and for the monitoring and improvement of the energy consumption of the buildings;
- ii. Façade and roofing elements with a solar shading or solar control function, including those that support the growing of vegetation, passive systems (for example thermal zoning, passive solar gains and daylighting through the glazed

façade and natural ventilation strategies) and any other measures that reduce the energy demand of the building not covered elsewhere;

B.4. OTHER MEASURES

- Light sources subject to EU energy labelling rules¹¹ and rated in the highest two populated classes of energy efficiency, or at higher classes and its associated equipment (Cabling, transformers, control systems, etc.).

2.2.3 Investment(s) in construction for commercial buildings: Buildings where the Primary Energy Demand (PED) defining the energy performance of the building is at least 10% lower than the threshold set for the nearly zero-energy building (NZEB).

For buildings larger than 5000 m², upon completion, the building resulting from the construction undergoes testing for air-tightness and thermal integrity, and any deviation in the levels of performance set at the design stage or defects in the building envelope are disclosed to investors and clients. As an alternative; where robust and traceable quality control processes are in place during the construction process this is acceptable as an alternative to thermal integrity testing.

2.2.A Additionally, the following ancillary, type of activities related to any of the eligibility sub-criteria under eligibility criteria number 2.2 are eligible:

- Installation services and their related expenses
- Technical consultations (architects, energy consultants, energy simulation, project management, production of energy performance certificates (EPC), dedicated training, etc.)
- For SMES, accredited energy audits; for Small Mid-Caps, accredited energy audits excluding mandatory energy audits carried out to comply with Directive 2012/27/EU¹²;
- Building performance assessments;
- Energy management services;
- Energy performance contracts;
- Investments of energy service companies (ESCOs) in equipment to deliver on the energy saving contracts.

HOW is the eligibility assessment made:

The assessment of the Final Recipient Transaction eligibility is based on:

(A) In case of 2.2.1 and 2.2.3, ex-ante Other Technical Documentation such as:

¹¹ Commission Delegated Regulation (EU) 2019/2015 of 11 March 2019 supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of light sources
<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1575537561243&uri=CELEX:32019R2015>

¹² To be noted that Directive 2012/27/EU excludes SMEs from its scope.

- ✓ PDF Report Technical Documentation; OR
- ✓ Energy performance certificate; OR
- ✓ Energy audit; OR
- ✓ Technical assessment/opinion

Technical assessment/opinion In each case, performed by an External Professional Certifier.

AND

- ✓ Control of Use of Funds together with legal covenants;

(B) In case of 2.2.2:

- ✓ PDF Report Technical Documentation; OR
- ✓ Other Technical Documentation including the technical parameters (e.g. U-value), as applicable, of the relevant individual measure; OR
- ✓ Description of investment

AND

- ✓ Control of Use of Funds together with legal covenants

(C) In case of ancillary activities (2.2.A):

- ✓ Document(s) proving the services to be provided;

AND

- ✓ Control of Use of Funds together with legal covenants

WHEN should the assessment be made:

- The purpose of the Final Recipient Transaction and related legal covenants shall be reflected at signature date within the final recipient transaction agreement signed between the Intermediary and the Final Recipient;
- The Technical Documentation must be available prior to the disbursement;
- The documentary evidence of the Control of Use of Funds must have been satisfied prior to the disbursement;

For the avoidance of the doubt, the same document may be used to evidence both the Technical Documentation and Control of Use of Funds, where such document includes the required information.

2.3| Green and energy efficient buildings – residential

Eligibility Criteria no 2.3

Investments in renovation of residential buildings, resulting in minimum qualifying energy performance, or meeting minimum thresholds.

WHAT is eligible:

2.3.1 Investment(s) in renovation measures of residential buildings/building units

(A) The building renovation complies with the applicable requirements for major renovations as set in the applicable national and regional building regulations implementing Directive 2010/31/EU (EPBD); OR

(B) Where savings in Primary Energy Demand are of at least 30% in comparison to the baseline performance before the renovation, where the reductions in net primary energy demand through renewable energy sources are not taken into account.

Eligible investments in this category are those contributing to the energy efficiency improvement and ancillary works (including health and safety).

2.3.2 Investment(s) in renovation of residential buildings from a pre-defined list of standardised building renovation measures/eligible equipment: as described in eligibility criteria number 2.2.2 except for 2.2.2.B.3. (i) which is not applicable

2.3.A Additionally, the following ancillary, type of activities related to any of the eligibility sub-criteria under eligibility criteria number 2.3 are eligible:

- Installation services and their related expenses
- Technical consultations (architects, energy consultants, energy simulation, project management, production of energy performance certificates (EPC), dedicated training, etc.);
- Building performance assessments;
- Energy management services;
- Energy performance contracts.

HOW is the eligibility assessment made:

The assessment of the Final Recipient Transaction eligibility is based on:

For Final Recipient Transactions under 2.3.1, ex-ante Other Technical Documentation such as:

- ✓ PDF Report Technical Documentation; OR
- ✓ Energy performance certificate; OR
- ✓ Energy audit; OR

- ✓ Technical certification

In each case, performed by an External Professional Certifier.

AND

- ✓ Control of Use of Funds together with legal covenants;

For Final Recipient Transactions under 2.3.2:

- ✓ PDF Report Technical Documentation; OR
- ✓ Other Technical Documentation including the technical parameters (e.g. U-value), as applicable, of the relevant individual measure; OR
- ✓ Description of investment;

AND

- ✓ Control of Use of Funds together with legal covenants;

In case of ancillary activities (2.3.A),

- ✓ Document proving the services to be provided

AND

- ✓ Control of Use of Funds together with legal covenants

WHEN should the assessment be made:

- The purpose of the Final Recipient Transaction and related legal covenants shall be reflected at signature date within the final recipient transaction agreement signed between the Intermediary and the Final Recipient;
- The Technical Documentation must be available prior to the disbursement;
- The documentary evidence of the Control of Use of Funds must have been satisfied prior to the disbursement;

For the avoidance of the doubt, the same document may be used to evidence both the Technical Documentation and Control of Use of Funds, where such document includes the required information.

2.4| Industrial energy efficiency

Eligibility Criteria no 2.4

2.4.1. Investments in standardized energy efficiency measures from a pre-defined list

2.4.2 Investment in technology, equipment or machinery that reduce significantly energy consumption/GHG emissions (including replacements).

WHAT is eligible:

2.4.1 Investments in standardized energy efficiency measures from a pre-defined list

(A) Investment in the purchase/installation of any of the items from the list of pre-defined energy efficiency standardised measures/eligible equipment as described in eligibility criteria number 2.2.2

(B) Investments related with the manufacturing of energy efficient equipment for buildings:

- Household appliances (e.g. washing machines, dishwashers) and of space or water heating appliances rated in highest two populated classes of energy efficiency, or in higher classes as laid down in a delegated act under Regulation (EU) 2017/1369 or Directive 2010/30/EU;
- Energy efficient windows (U-value lower or equal to 1,0W/m²K);
- Doors with U-value lower or equal to 1,2 W/m²K;
- External wall systems (with U-value lower or equal to 0,5 W/m²K);
- Insulating products with a lambda value lower or equal to 0,06 W/mK;
- Light sources rated in the highest two populated classes of energy efficiency in accordance with Regulation (EU) 2017/1369 and delegated acts adopted under that Regulation;
- Space heating and domestic hot water systems rated in the highest two populated classes of energy efficiency in accordance with Regulation (EU) 2017/1369 and delegated acts adopted under that Regulation;
- Cooling and ventilation systems rated in the highest two populated classes of energy efficiency in accordance with Regulation (EU) 2017/1369 and delegated acts adopted under that Regulation;
- Presence and daylight controls for lighting systems;
- Heat pumps compliant with the technical screening criteria ((a) refrigerant; threshold: GWP does not exceed 675; (b) energy efficiency requirements laid down in the implementing regulations under Directive 2009/125/EC are met.);
- Energy-efficient building automation and control systems for residential and non-residential buildings;
- Products for heat metering and thermostatic controls for individual homes connected to district heating systems, for individual flats connected to central heating systems serving a whole building, and for central heating systems;

- District heating exchangers and substations compliant with the district heating/cooling distribution activity, except those using natural gas;
- Products for smart monitoring and regulating of heating system, and sensing equipment;

(C) Additionally, the following ancillary type of activities related to eligibility criteria number 2.4.1 are eligible:

- Installation services and their related expenses
- Technical consultations (architects, energy consultants, energy simulation, project management, production of energy performance certificates (EPC), dedicated training, etc.)
- For SMES, accredited energy audits; for Small Mid-Caps, accredited energy audits excluding mandatory energy audits carried out to comply with Directive 2012/27/EU¹³;
- Building performance assessments;
- Energy management services;
- Energy performance contracts;
- Investments of energy service companies (ESCOs), in equipment to deliver on the energy saving contracts;

2.4.2. Investments in technologies, equipment, appliances, systems or processes that modify the existing facilities and reduce significantly energy consumption/GHG emissions, incl. investment in replacing existing technology, equipment, machines providing a decrease in energy use (kWh) or GHG emission reduction

For the purposes of the Sustainability Guarantee criteria, reduce significantly shall mean at least 30% GHG emission reduction or energy consumption.

(A) In the case of industrial EE, - decrease in energy use (kWh) of at least 30% or GHG emission reduction of minimum 30%.

Such investments may include installation, upgrade or modernization of:

- Electrical equipment;
- Flue gas condensers, in particular on bioenergy plants
- Electric motors with VSDs (variable speed drives);
- VSDs;
- Machines, compressors, cranes;
- Storage facilities for bioenergy plants to prevent heating value loss of biomass;
- Processing equipment;
- Production lines.

¹³ To be noted that Directive 2012/27/EU excludes SMEs from its scope.

In the case of investment would lead to an increase in output (e.g. an upgrade of the production line), the decrease in energy use (kWh) of at least 30% or GHG emission reduction of minimum 30% may be calculated per unit of output.

(B) Examples of investments in the case of Final Recipients operating in agriculture:

- The replacement of self-propelled or traction agricultural (farm/forest) machinery (heavy and light duty) if they can demonstrate a substantial reduction (min 10%) in GHG emissions. NB: Equipment/machinery is eligible only if best in class new equipment/machinery is purchased. (For the purpose of this criteria, best in class means equipment/machinery meeting Stage V (EU)/Final Tier 4 (US) emission standard or future applicable standards subject to regulatory amendment).
- Modernization of existing irrigation networks/systems involving energy savings (min 30%) including equipment coupled to such investment;
- Investments in upgrades or modernization of processing equipment delivering a 30% reduction of GHG emissions or energy consumption;

NB: New irrigation and/or expansion of existing irrigation systems are eligible only if the Final Recipient can demonstrate through relevant documentation, compliance with national rules/prior authorisations regarding the abstraction of fresh surface water and groundwater/ good status of the water bodies.

2.4.A. RDI activities that support Energy Efficiency

In all cases, activities should aim to promote substantially lower GHG emissions compared with current practices, except where the current practice is already low in carbon and activities focus on development of equally low- or lower-emission technologies, services or solutions with new advantages, such as lower cost or better usability.

Activities that directly support exploration, extraction, processing or transportation of fossil fuels, or fossil fuel power generation (with the exception of technologies for carbon capture and storage), cannot be considered.

For demonstration plants, a life-cycle GHG emissions assessment must be undertaken by the entity carrying out the RDI calculated using Commission Recommendation 2013/179/EU or, alternatively, using ISO 14067:2018 or ISO 14064-1:2018.

HOW is the eligibility assessment made:

Applicable for:	Type of verification
2.4.1	<ul style="list-style-type: none"> ✓ PDF Report Technical Documentation; OR ✓ Other Technical Documentation including the technical parameters (e.g. U-value), as applicable, of the relevant individual measure; OR ✓ In case of ancillary activities, document proving the services to be provided; OR

	<ul style="list-style-type: none"> ✓ Description of investment; <p>AND</p> <ul style="list-style-type: none"> ✓ Control of Use of Funds together with legal covenants;
2.4.2	<ul style="list-style-type: none"> ✓ PDF Report Technical Documentation; OR ✓ Other Technical Documentation, including the technical parameters, as applicable; OR ✓ Technical certification performed by an External Professional Certifier; OR ✓ Internal energy-efficiency plans certified by internal; OR external accredited technical expert or certified under an energy management systems (e.g. ISO 50001); OR ✓ Energy (or GHG emission or fuel) ex-ante reduction certified by manufacturers, suppliers or installers, OR ✓ Description of investment; <p>AND</p> <ul style="list-style-type: none"> ✓ Control of Use of Funds together with legal covenants.
2.4.A	<ul style="list-style-type: none"> ✓ Other Technical Documentation describing the aim to lower GHG emissions / lower cost / better usability; OR ✓ Description of investment; <p>AND</p> <ul style="list-style-type: none"> ✓ Control of Use of Funds together with legal covenants.

WHEN should the assessment be made:

- The purpose of the Final Recipient Transaction and related legal covenants shall be reflected at signature date within the final recipient transaction agreement signed between the Intermediary and the Final Recipient;
- The Technical Documentation must be available prior to the disbursement;
- The documentary evidence of the Control of Use of Funds must have been satisfied prior to the disbursement.

For the avoidance of the doubt, the same document may be used to evidence both the Technical Documentation and Control of Use of Funds, where such document includes the required information.

2.5| Zero and low emission mobility

Eligibility Criteria no 2.5

Investments in low and/or zero emission transport assets, in renewal and retrofitting of transport assets and infrastructure for zero-emission and clean energy vehicles and vessels.

WHAT is eligible:

For Final Recipients, which are natural persons

2.5.1 Vehicles

Full electric passenger vehicles and hydrogen Fuel Cell, vehicle categories: M1, M2, M3.

M1: vehicles used for carriage of passengers, comprising not more than eight seats in addition to the driver's;

In the case of vehicles under category M1, the cost of the vehicle – TVA excluded- must be up to EUR 60,000.

M2: Vehicles used for the carriage of passengers, comprising more than eight seats in addition to the driver's seat, and having a maximum mass not exceeding 5 tonnes;

M3: Vehicles used for the carriage of passengers, comprising more than eight seats in addition to the driver's seat, and having a maximum mass exceeding 5 tonnes;

2.5.2 Personal mobility devices

Personal mobility devices where the propulsion comes from the physical activity of the user (e.g. bikes), from a zero-emission motor (e.g. electric trottinettes), or a mix of zero-emissions motor and physical activity (e.g. e-bikes); only devices that are allowed to be operated on the same public infrastructure as bikes or pedestrians are eligible.

For Target Final Recipients, which are SMEs or Small Mid-caps

2.5.1 Vehicles

Passenger vehicles (category M), light commercial vehicles (N1 such as vans)

(a) For M1 vehicles and N1: From 1 January 2026, only zero tailpipe emission vehicles (e.g. electric, hydrogen).

In the case of vehicles under category M1, the cost of the vehicle – TVA excluded – must be up to EUR 60,000.

(b) Other categories: zero tailpipe emission vehicles (e.g. electric, hydrogen).

2.5.2 Motorbikes (L)

For category L vehicles:

Zero tailpipe emission vehicles (incl. hydrogen, fuel cell, electric).

2.5.3 Heavy duty vehicles (N2 and N3)

For category N2 and N3 vehicles:

1. Heavy Duty Vehicles: N2 vehicles, as defined by (Heavy duty CO2 Regulation (EU) 2019/1242), maximum loaded weight < 7.5 tonnes:

- i. Zero direct emission heavy-duty vehicles that emits less than 1g CO₂/kWh, or less than 1g CO₂/km.

2. Heavy Duty Vehicles: N2 and N3 vehicles, as defined by (Heavy duty CO2 Regulation (EU) 2019/1242), maximum loaded weight > 7.5 tonnes:

- i. Zero direct emission heavy-duty vehicles that emit
In case of N2 vehicles less than 1g CO₂/kWh or 1g CO₂/km
In case of N3 vehicles, less than 1g CO₂/kWh.
- ii. Low-emission heavy-duty vehicles with specific direct CO₂ emissions of less than 50% of the reference CO₂ emissions of all vehicles in the same sub-group, as per the table below (Column 50% of Reference value CO₂ [g/tkm]).

Heavy-Duty Vehicles (Trucks) Table

Group Description	Vehicle Group	Vehicle sub-group	50% of Reference value CO ₂ [g/tkm]
Rigid lorries* with axle configuration 4 × 2 and technically permissible maximum laden mass > 16 tonnes	4	4-UD	153.61
		4-RD	98.58
		4-LH	52.98
Tractor units** with axle configuration 4 × 2 and technically permissible maximum laden mass > 16 tonnes	5	5-RD	42.00
		5-LH	28.30
Rigid lorries* with axle configuration 6 × 2	9	9-RD	55.49
		9-LH	32.58
Tractor units** with axle configuration 6 × 2	10	10-RD	41.63
		10-LH	29.13

* 'Rigid lorry' means a lorry that is not designed or constructed for the towing of a semi-trailer

***'Tractor unit' means a tractor unit in an articulated lorry that is designed and constructed exclusively or principally to tow semi-trailers

2.5.4 Waterborne

1. Inland passenger water transport:

- i. Zero direct (tailpipe) CO₂ emissions;
- ii. From 1 January 2026 until 31 December 2029, vessels are eligible if the yearly average greenhouse gas intensity of the energy used on-board by a ship during a reporting period¹⁴ does not exceed 76,4 g CO₂e/MJ.

2. Inland freight water transport:

- i. Zero direct (tailpipe) CO₂ emissions;
- ii. Other inland waterway vessels are eligible if direct emissions are below 28.30 gCO₂/tkm;
- iii. From 1 January 2026 until 31 December 2029, other inland waterway vessels are eligible if the yearly average greenhouse gas intensity of the energy used on-board by a ship during a reporting period¹⁵ does not exceed 76,4 g CO₂e/MJ.

3. Sea and coastal freight transport:

- i. Zero direct (tailpipe) CO₂ emissions;
- ii. Where technologically or economically not feasible to comply with the criterion of zero direct tailpipe, from 1 January 2026 until 31 December 2029, vessels are eligible that:
 - a. **For vessels under the scope of the EEDI**, have an attained Energy Efficiency Design Index (EEDI) value 20% below the EEDI requirements applicable on 1 April 2022 and:
 - are able to plug-in at berth;
 - for gas-fuelled ships, demonstrate the use of measures and technologies to mitigate methane and/or nitrous oxides emissions below 7.65 gCO₂e/MJ¹⁶;
 - b. In addition to an attained Energy Efficiency Existing Ship Index (EEXI) value 10% below the EEXI requirements applicable on 1 April 2022, **for vessels in scope of EEXI scope**, the yearly average greenhouse gas intensity of the energy used on-board during a reporting period¹⁷ does not exceed 76,4 g CO₂e/MJ.

¹⁴ The greenhouse gas intensity of the energy used on-board by a ship is verified by an accredited FuelEU verifier and calculated following the methodology foreseen in that regulation and applied to all energy used by the vessel in a calendar year. Ships not covered by the FuelEU Regulation, may also obtain this information from FuelEU verifiers.

¹⁵ The greenhouse gas intensity of the energy used on-board by a ship is verified by an accredited FuelEU verifier and calculated following the methodology foreseen in that regulation and applied to all energy used by the vessel in a calendar year. Ships not covered by the FuelEU Regulation, may also obtain this information from FuelEU verifiers.

¹⁶ Methane and nitrous oxides established in accordance with RESOLUTION MEPC.402(83) - GUIDELINES FOR TEST-BED AND ONBOARD MEASUREMENTS OF METHANE (CH₄) AND/OR NITROUS OXIDE (N₂O) EMISSIONS FROM MARINE DIESEL ENGINES, or any updated version.

¹⁷ The greenhouse gas intensity of the energy used on-board by a ship is verified by an accredited FuelEU verifier and calculated following the methodology foreseen in that regulation and applied to all energy used by the vessel in a calendar year. Ships not covered by the FuelEU Regulation, may also obtain this information from FuelEU verifiers.

4. Sea and coastal passenger transport:

- i. Zero direct (tailpipe) CO₂ emissions;
- iii. Where technologically or economically not feasible to comply with the criterion of zero direct tailpipe, from 1 January 2026 until 31 December 2029, vessels are eligible that:
 - a. have attained an Energy Efficiency Design Index (EEDI) value 20% below the EEDI requirements applicable on 1 April 2022 and:
 - are able to plug-in at berth;
 - for gas-fuelled ships, demonstrate the use of measures and technologies to mitigate methane and/or nitrous oxides emissions below 7.65 gCO₂e/MJ¹⁸;
 - b. In addition to an attained Energy Efficiency Existing Ship Index (EEXI) value 10% below the EEXI requirements applicable on 1 April 2022, for vessels in scope of EEXI, the yearly average greenhouse gas intensity of the energy used on-board during a reporting period¹⁹ does not exceed 76,4 g CO₂e/MJ.

5. Retrofitting inland water freight and passenger transport vessels:

- i. For inland water freight vessels: the retrofitting activity reduces fuel consumption by at least 15% expressed per unit of energy per tonne kilometre, as demonstrated by a comparative calculation for the representative navigation areas (including representative load profiles) in which the vessel is to operate or by means of the results of model tests or simulations;
- ii. For inland passenger transport vessels: the retrofitting activity reduces fuel consumption of the inland passenger vessel by at least 15% expressed per unit of energy per complete journey (full passenger cruise), as demonstrated by a comparative calculation for the representative navigation areas (including representative load profiles and docking) in which the vessel is to operate or by means of the results of model tests or simulations.

6. Retrofitting Sea and coastal freight and passenger transport vessels:

The retrofitting activity complies with one or more of the following criteria:

- i. reduces fuel consumption of the vessel by at least 15% expressed in grams of fuel per deadweight tons per nautical mile for freight vessels, or per gross tonnage per nautical mile for passenger vessels, as demonstrated by computational fluid dynamics (CFD), tank tests or similar engineering calculations;
- ii. enables the vessels to attain Energy Efficiency Existing Ships Index (EEXI) value at least 10% below the EEXI requirements applicable on 1 January 2023 and if the vessels are able to run on zero direct (tailpipe) emission fuels, and have the ability to plug-in at berth.

¹⁸ Methane and nitrous oxides established in accordance with RESOLUTION MEPC.402(83) - GUIDELINES FOR TEST-BED AND ONBOARD MEASUREMENTS OF METHANE (CH₄) AND/OR NITROUS OXIDE (N₂O) EMISSIONS FROM MARINE DIESEL ENGINES, or any updated version.

¹⁹ The greenhouse gas intensity of the energy used on-board by a ship is verified by an accredited FuelEU verifier and calculated following the methodology foreseen in that regulation and applied to all energy used by the vessel in a calendar year. Ships not covered by the FuelEU Regulation, may also obtain this information from FuelEU verifiers.

In any case, Vessels are not built, retrofitted and acquired with the explicit intention to predominantly transport or store fossil fuels over the life of the project.

2.5.5 Rail

1. Rail infrastructure and related subsystems (infrastructure, energy, on-board control-command and signalling, and trackside control-command and signalling subsystems);
2. Freight and passenger terminals linking other transport modes to rail;
3. Zero-emission (electric, hydrogen) rolling stock for rail, including bi-mode (hybrid propulsion) and freight wagons and passenger coaches that do not have traction of their own

In any case, no support shall be provided to infrastructure and rolling stock with the explicit intention to predominantly transport or store fossil fuels over the life of the project.

2.5.6 Aviation

1. Ground- and cargo handling, including:
 - i. Zero carbon emission (e.g. electric, hydrogen) groundhandling vehicles and equipment e.g. cars, buses, push back tugs, belt loaders, baggage tractors, de-icing vehicles, snow plows, passenger airstairs, airport pallet trucks, main and lower deck loaders, power tractors, ground power units, cool container dollies and other;
 - ii. Provision of fixed electrical ground power and preconditioned air to stationary aircraft;
2. Zero-emission small aircraft (e.g. electric, hydrogen powered aeroplane, helicopter, drone for transport purposes; below 20 seats – manned and unmanned);

In the area of sustainable aviation fuels : manufacture of biofuels²⁰ and hydrogen (including hydrogen-based synthetic fuels)²¹, including the equipment, infrastructures and services for the production of such biofuels and hydrogen²², as well as the manufacture of equipment for the use of hydrogen²³.

2.5.7. Personal mobility devices

Personal mobility devices where the propulsion comes from the physical activity of the user (e.g. bikes), from a zero-emission motor (e.g. electric trottinettes), or a mix of zero-emissions motor and physical activity (e.g. e-bikes); only devices that are allowed to be operated on the same public infrastructure as bikes or pedestrians are eligible.

2.5.8 Infrastructure and key electric vehicle components

Infrastructure that is dedicated to the operation of vehicles, aircraft, vessels or personal mobility devices with zero tailpipe CO₂ emissions: electric charging points, electricity grid connection upgrades, hydrogen fuelling stations or electric road systems.

Infrastructure and installations that are dedicated to transshipping freight between the modes: terminal infrastructure and superstructures for loading, unloading and transshipment of goods.

Investments in the design, manufacturing, distribution and maintenance of key components of electric vehicles, such as batteries and electrical engines.

²⁰ Subject to complying with the following characteristics:

- Biofuels are produced from the sustainable feedstock listed in Parts A & B of Annex IX of Directive (EU) 2018/2001³⁵ (exceptions can be made for innovative processes development and demonstration purposes, on a case by case basis).
- Production of biofuels for transport comply with the GHG saving targets outlined in Article 29 of Directive (EU) 2018/2001 (par. 1 and par. 10) – i.e. 65%. Electricity/heat/cool production from bioenergy, as outlined in activities 14, 15 and 16 of the energy section of this guidance, are compliant with the GHG saving targets outlined in Article 29 of Directive (EU) 2018/2001 (par. 1 and par. 10) – i.e. 80%. Calculation methods should take into consideration EU taxonomy DA and RED II provisions with regards to CO₂ capture where and if applicable.
- The biomass feedstock, when sourced from inside the EU, is compliant with the sustainability criteria of EU Directive 2018/2001 (and article 29 in particular) and EU Timber Regulation No. 995/2010.
- The biomass feedstock, when sourced from outside the EU, is aligned with the principles of the sustainability criteria of the EU Directive 2018/2001. The forest biomass shall, at a minimum, be certified or aligned (e.g. roadmap) with international sustainable forest certification standards (e.g. FSC/PEFC), and shall be aligned with the EU Timber Regulation No. 995/2010

²¹ Subject to complying with the following criteria: life-cycle GHG emissions savings requirement of 73.4% for hydrogen [resulting in life-cycle GHG emissions lower than 3t CO₂e/tH₂] and 70% for hydrogen-based synthetic fuels relative to a fossil fuel comparator of 94g CO₂e/MJ in analogy to the approach set out in Article 25(2) of and Annex V to Directive (EU) 2018/2001

²² Equipment covered includes: 1) electrolyzers for hydrogen production; 2) carbon capture equipment.

²³ Equipment covered includes hydrogen fuel cells.

HOW is the eligibility assessment made:

The assessment of the Final Recipient Transaction eligibility is based on:

- ✓ Other Technical Documentation: manual/certificate evidencing type of transport asset and CO2 emission and the Financial Intermediary verification of the relevant threshold(s); OR
- ✓ PDF Report Technical Documentation; OR
- ✓ Only for the renewal and retrofitting of vessels, Other Technical Documentation: Technical certification, performed by an External Professional Certifier;

AND

- ✓ Control of Use of Funds together with legal covenants.

WHEN should the assessment be made:

- The purpose of the Final Recipient Transaction and related legal covenants shall be reflected at signature date within the final recipient transaction agreement signed between the Intermediary and the Final Recipient;
- The Technical Documentation must be available prior to the disbursement;
- The documentary evidence of the Control of Use of Funds must have been satisfied prior to the disbursement.

For the avoidance of the doubt, the same document may be used to evidence both the Technical Documentation and Control of Use of Funds, where such document includes the required information.

2.6| Green ICT for climate mitigation

Eligibility Criteria no 2.6

Developing or adopting green Information Communication Technology (ICT) and digital solutions, tools, equipment, applications that enable a decrease in energy consumption/pollutant emissions, or contribute to climate mitigation objectives.

WHAT is eligible:

(A) Greening the ICT sector

A.1. Green data centers

Data processing, hosting and related activities that meet the following conditions:

- i. The activity has introduced all relevant practices listed as 'expected practices' in the most recent version of the European Code of Conduct on Data Centre Energy Efficiency²⁴, or in CEN-CENELEC document CLC TR50600-99-1 'Data centre facilities and infrastructures - Part 99-1: Recommended practices for energy management'. The implementation of those practices is verified by an External Professional Certifier and audited at least every 3 years.
- ii. Where an expected practice is not considered relevant due to physical, logistical, planning or other constraints, an explanation as to why the expected practice is not applicable or practical is provided. Alternative best practices from the European Code of Conduct on Data Centre Energy Efficiency or other equivalent sources may be identified as direct replacements if they result in similar energy savings.
- iii. The global warming potential (GWP) of refrigerants used in the data centre cooling system does not exceed 675.

(B) Sustainability linked ICT solutions:

B.1) ICT solutions for decarbonised energy networks, where such solutions are used for the provision of enabling GHG emissions savings or energy reductions of at least 30%, such as:

- 1) Energy efficient data platforms and data flows;
- 2) Energy efficient super computing, energy efficient AI and blockchain algorithms;
- 3) Digitalisation of decarbonised grids;
- 4) Big data solutions for energy;
- 5) Semi-conductors;

B.2) Smart grids and related ICT solutions:

Smart technologies (incl. IoT, AI) for:

- 1) Smart grid automation;

²⁴ [2021 Best Practice Guidelines for the EU Code of Conduct on Data Centre Energy Efficiency | E3P \(europa.eu\)](#)

- 2) Flexible energy distribution;
- 3) Smart metering;
- 4) Real-time smart grid software suite.

HOW is the eligibility assessment made:

For Final Recipient Transactions under (A):

- ✓ Other Technical Documentation;

AND

- ✓ Control of Use of Funds together with legal covenants.

For Final Recipient Transactions under (B.1):

- ✓ Other Technical Documentation - external certification with minimum GHG emissions savings or energy reductions

AND

- ✓ Control of Use of Funds together with legal covenants;

For Final Recipient Transactions under (B.2):

- ✓ Financial Intermediary verification as per its underwriting process, based on Final Recipient's Business / Project Plan;

AND

- ✓ Control of Use of Funds together with legal covenants.

WHEN should the assessment be made:

- The purpose of the Final Recipient Transaction and related legal covenants shall be reflected at signature date within the final recipient transaction agreement signed between the Intermediary and the Final Recipient;
- Where applicable, the Technical Documentation must be available prior to the disbursement;
- The documentary evidence of the Control of Use of Funds must have been satisfied prior to the disbursement.

For the avoidance of the doubt, the same document may be used to evidence both the Technical Documentation and Control of Use of Funds, where such document includes the required information.

3| Investments for climate adaptation

3.1| Climate resilience

Eligibility Criteria no 3.1

Investments that enable a higher climate resilience of the company or the territory against climate change and climate-related events and/or reduce climate vulnerabilities for agriculture.

WHAT is eligible:

Investments must respect EU environmental protection standards, they should not lock in assets that undermine the long-term environmental goals and nature-based solutions should be prioritised.

These investments include:

(A) Investments to reduce climate vulnerabilities in agriculture:

- i. Drought/flood tolerant crops (as per the national national/regional/local/city climate change adaptation strategies and/or plans) /new crop variety;
- ii. Crop storage;
- iii. Precision farming measures related to climate adaptation, including digital solutions or other applications for weather and hydrological monitoring and forecasting;
- iv. Pressurised irrigation technologies using sprinkler, drip or other high efficient drip systems²⁵;
- v. Temperature regulation for livestock;
- vi. use of digestate as a local source of nutrients and fertigation, in connection with biogas/biomethane production
- vii. Other investments with a significant increase in climate resilience of agricultural activities and practices, including digital solutions or other applications.

(B) Investments in digital technologies dedicated to enhancing resilience to climate change such as digital solutions for advanced weather monitoring and forecasting, communication technologies for dissemination of weather- climate related information and early warning systems;

(C) Research and innovation investments that increase resilience to climate change adaptation;

- (D) Nature-based solutions²⁶ and ecosystem-based management measures, including green and blue infrastructure²⁷, prevention and control of floods (e.g. dykes construction/upgrade, expansion and/or upgrade of hydraulic structures to increase discharge capacity, storm-water management, disaster preparedness activities, early warning systems, ecosystem restoration, natural hazard disaster risk management and reduction etc.) and erosion phenomena;
- (E) Specific measures required to reduce climate vulnerabilities as identified in the assessment of climate risk and as laid out in the national/ regional/ municipal climate change adaptation strategies and/or plans, including related to water management and agriculture;
- (F) Investments reducing the effect of climate change in cities, specifically the ones related to urban heat islands (e.g. green and cool roofs, introduction of materials with high solar reflectance and infrared emittance on facades, roofs and pavements, exterior shading devices, urban forests, etc.);
- (G) Investments in protecting the Final Recipient's premises and natural capital assets against the impacts of extreme weather events including temperature-related (e.g. ventilative cooling) wind-related and water-related (e.g. permeable pavement, floodgates, anti-flooding valves and airbrick covers);
- (H) Any other investments that enable climate change adaptation of other businesses or entities (including manufacture, purchase, installation, design, promotion or enabling uptake and implementation).

HOW is the eligibility assessment made:

The assessment of the Final Recipient Transaction eligibility is based on:

- ✓ PDF Report Technical Documentation (if available); OR
- ✓ Description of investment: For 3.1 (A) i, and 3.1 (E), including reference to a national/regional/local/city climate change adaptation strategies and/or plans;

AND

- ✓ For 3.1 (A) iv, proof of permits/compliance with national environmental legislation, including but not limited to:
 - documentation of the irrigation project prepared only by "hydrologic planning engineers" authorised by national authorities; OR
 - a certificate from the national water regulatory authorities (managing the water rights on water bodies) in relation to the availability of water for irrigation, OR
 - water use permit issued for the yearly operation of irrigation system;

AND

- ✓ Control of Use of Funds together with legal covenants.

WHEN should the assessment be made:

- The purpose of the Final Recipient Transaction and related legal covenants shall be reflected at signature date within the final recipient transaction agreement signed between the Intermediary and the Final Recipient;
- Where applicable the proof of permits/compliance with national environmental legislation, must be available prior to the disbursement,
- The documentary evidence of the Control of Use of Funds must have been satisfied prior to the disbursement.

4| Investments related to transition to circular economy, waste prevention and recycling

4.1| Sustainable use of materials

Eligibility Criteria no 4.1

- 1) Investments that contribute to the circular economy transition, by allowing reduction of primary raw material use and/or higher use of secondary materials compared to existing practice;
- 2) Investments in activities that are key to net resource saving through reuse, repair, refurbish, remanufacturing, repurpose or recycling activities.

WHAT is eligible:

4.1.1 Investments that contribute to the circular economy transition, by allowing reduction of primary raw material use and/or higher use of secondary materials compared to existing practice

Projects/investments such as:

- i. That allow for a reduction of primary raw material use of min. 20%, including substituting virgin materials with secondary/recycled materials or with the waste or by products from other industrial process;
- ii. That allow for a higher use of secondary raw materials, waste or by-product from other industrial process of min. 20% compared to current practice, in any case, not below 20% overall use;
- iii. Investments in manufacturing of product(s) with demonstrated superior recyclability – product recyclability of above 80%;
- iv. Investments in development and production of biobased materials that are at least 80% recyclable or compostable.

4.1.2 Investments in activities that are key to net resource saving through reuse, repair, refurbish, remanufacturing, repurpose or recycling activities

Projects/investments such as:

- i. Refurbishment, retrofitting and remanufacturing of end-of-life or redundant products/movable assets;
- ii. Businesses with main activity/investing in the reuse and repair of consumer products (e.g. clothing, furniture, bicycles, household appliances).

HOW is the eligibility assessment made:

For Final Recipient Transactions complying with eligibility criteria 4.1.1 the assessment is based on:

- ✓ Other Technical Documentation such as: external assessment/certification showing (i) reduction of primary raw material, (ii) higher use of secondary raw materials, waste or by-products from other industrial process in line with relevant thresholds, as applicable; (iii) product recyclability of above 80% or (iv) 80% or above recyclability or compostability for biobased materials

AND

- ✓ Control of Use of Funds together with legal covenants.

For Final Recipient Transactions complying with eligibility criteria 4.1.2 the assessment is based on:

- ✓ Financial Intermediary verification as per its underwriting process, that:
 1. the Final Recipient is operating in or the investment to be financed is categorized in any of the following sectors defined by NACE Rev 2.1²⁸:
 - i. G47.79 Retail sale of second-hand goods;
 - ii. C33.1 Repair and maintenance of fabricated metal products, machinery and equipment;
 - T95.1 Repair and maintenance of computers and communication equipment;
 - T95.2 Repair and maintenance of personal and household goods; OR
 2. The Final Recipient is operating in a sector that, or the investment to be financed, supports net resource saving through reuse, refurbish, remanufacturing, repurpose or recycling.

AND

- ✓ Control of Use of Funds together with legal covenants.

WHEN should the assessment be made:

- The purpose of the Final Recipient Transaction and related legal covenants shall be reflected at signature date within the final recipient transaction agreement signed between the Intermediary and the Final Recipient;
- Where applicable, the Technical Documentation must be available prior to the disbursement;
- The documentary evidence of the Control of Use of Funds must have been satisfied prior to the disbursement.

For the avoidance of the doubt, the same document may be used to evidence both the Technical Documentation and Control of Use of Funds, where such document includes the required information.

²⁸ In case NACE Rev 2 is still used, please refer to the NACE codes as included for 4.1 in the Use Case Document version 1.3, available at: [sustainability-use-case-v1-3.pdf](#).

4.2| Waste reduction, collection, recovery

Eligibility Criteria no 4.2

Investments in the segregated collection of waste, redundant products, parts, materials and residues in order to enable high quality recycling, reuse, recovery and/or valorisation.

WHAT is eligible:

Projects/investments such as:

- (A) Equipment, transport and building infrastructure needed to organise the take back and reverse flow of products and materials to relevant facilities for repair, refurbishing, remanufacturing recycling or dismantling;
- (B) Movable equipment (bins, containers);
- (C) Waste collection and transport vehicles allowing high quality waste collection and management, meeting at least EURO V standard;
- (D) Equipment for waste collection and waste management (including segregated collection or sorting);
- (E) Reuse, repair, refurbishing, repurposing and remanufacturing of end-of-life or redundant products, movable assets and their components that would otherwise be discarded;

Investments concerning disposal listed in Annex I of Directive 2008/98²⁹ (e.g. landfilling, permanent storage, incineration) will not be supported.

HOW is the eligibility assessment made:

The assessment of the Final Recipient Transaction eligibility is based on:

- ✓ Financial Intermediary verification as per its underwriting process, that the Final Recipient is operating or the financed activity is categorized in any of the following sectors defined by NACE Rev 2.1³⁰:

- E38.1 Waste collection;
- E38.2 Waste recovery;
- G46.87 Wholesale of waste and scrap;

AND

- ✓ Other Technical Documentation: Where applicable, for any threshold requirement verification will be made through an technical assessment/certification performed by an External Professional Certifier;

AND

²⁹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02008L0098-20180705>

³⁰ In case NACE Rev 2 is still used, please refer to the NACE codes as included for 4.1 in the Use Case Document version 1.3, available at: [sustainability-use-case-v1-3.pdf](#).

✓ **Control of Use of Funds together with legal covenants.**

If the investment concerns waste recovery or where a company disposes its own non-hazardous waste at the place of production – the Financial Intermediary shall verify if the Final Recipient has a permit or at least registration with the relevant national/regional/local authorities (NB! Investments into hazardous waste are not permitted).

If the investment concerns collection, transport or use of waste from other operators for the business activity of the company – the Financial Intermediary shall verify if the Final Recipient has a registration with the relevant national/regional/local authorities.

WHEN should the assessment be made:

- The purpose of the Final Recipient Transaction and related legal covenants shall be reflected at signature date within the final recipient transaction agreement signed between the Intermediary and the Final Recipient;
- Where applicable, the Technical Documentation must be available prior to the disbursement;
- The documentary evidence of the Control of Use of Funds must have been satisfied prior to the disbursement.

For the avoidance of the doubt, the same document may be used to evidence both the Technical Documentation and Control of Use of Funds, where such document includes the required information.

4.3| Product as a service, reuse and sharing models that enable circular economy strategies

Eligibility Criteria no 4.3

Product-as-a-service, reuse and sharing models based on, inter alia, leasing, pay-per-use, subscription or deposit return schemes, that enable circular economy.

WHAT is eligible:

This eligibility criteria refers to business models such as leasing, pay-per-use, subscription or deposit return schemes, where the Final Recipients are providing the products or services that enable circular economy. This includes:

- (A) leasing products with circular design (e.g. increased durability, modularity, easy disassembly and repair);
- (B) provisions for product/asset return at the end of the first lease lifecycle with subsequent refurbishment/repair to enable re-lease for additional lease lifecycles in 'as new' quality condition;
- (C) investments that substitute or lead to a substantial reduction of substances of concern in materials, products and assets.

HOW is the eligibility assessment made:

The assessment of the Final Recipient Transaction eligibility is based on:

- ✓ Financial Intermediary verification as per its underwriting process, based on Final Recipient activity

AND

- ✓ Control of Use of Funds together with legal covenants.

WHEN should the assessment be made:

- The purpose of the Final Recipient Transaction and related legal covenants shall be reflected at signature date within the final recipient transaction agreement signed between the Intermediary and the Final Recipient;
- The documentary evidence of the Control of Use of Funds must have been satisfied prior to the disbursement.

4.4| Green ICT enabling circular economy business models

Eligibility Criteria no 4.4

Development/deployment of tools, applications, and services enabling circular economy business models.

WHAT is eligible:

- (A) ICT tools for predictive maintenance and repair with the predominant aim to extend the life of products;
- (B) Digital solutions for traceability of materials to support future recycling;
- (C) Digital tools and applications to facilitate reverse logistics (tracking, take-back of products for reuse, repair or recycling), improve circular resource efficiency and avoidance of waste production (e.g. food waste in restaurants, shops);
- (D) Virtual marketplaces for secondary raw materials or second hand/repaired/upgraded products;
- (E) Digital solutions that support the creation of new recycling systems;
- (F) Digital tools and applications for consumer and industries' awareness raising/education on the application and benefits of different circular economy strategies;
- (G) Advisory services to companies for strategising, preparing and implementing circular economy transitions;
- (H) Transition to energy and material efficient mobile and fixed telecommunication services by adopting circular economy principles in the telecommunication equipment and consumer electronic (improving durability, reuse, update, reparability, refurbishment, recycling).

HOW is the eligibility assessment made:

The assessment of the Final Recipient Transaction eligibility is based on:

- ✓ Financial Intermediary verification as per its underwriting process, based on Final Recipient's Business / Project Plan;

AND

- ✓ Control of Use of Funds together with legal covenants.

WHEN should the assessment be made:

- The purpose of the Final Recipient Transaction and related legal covenants shall be reflected at signature date within the final recipient transaction agreement signed between the Intermediary and the Final Recipient;
- The documentary evidence of the Control of Use of Funds must have been satisfied prior to the disbursement.

5| Investments related to environmental impact and sustainable management of natural resources

5.1| Water resources

Eligibility Criteria no 5.1

Investments in water resource management and efficiency and related technologies.

WHAT is eligible:

Investments in:

(A) Modernisation of infrastructures if designed to improve water conservation, efficiency, reuse and discharge reduction:

- i. Water-saving systems and their components (incl. technologies) that will lead to at least a 10% decrease in water use;
- ii. Installation of water-saving new modern machines, equipment and fittings (e.g. irrigation machines, pumps, filters, pipelines, fittings, remote control systems, meteorological station, ground probes, water meters);
- iii. Water treatment technology for water reuse;
- iv. Implementation of measures resulting from compliance with a certification scheme, such as: EWS Standard, <http://www.ewp.eu/ews-standard>, Sustainability Certification Program <https://www.wqa.org/Sustainability>
- v. Water efficiency of buildings;
- vi. Water savings technologies (smart water meters, pressure control technologies);
- vii. Water flow and level measurement and monitoring and water quality monitoring;
- viii. Improvement and digitisation on water monitoring networks.

(B) Reduction of runoff, increment of percolation and retention measures:

- i. Collection of run-off water for later use;
- ii. Runoff control measures for improving infiltration;
- iii. Investment in enhancing infiltration of rainwater;
- iv. Drainage systems, combination of drainage with water retention;
- v. Improving watershed management;
- vi. Water storage (including insulation) and harvesting (e.g. design and construction of a reservoir, for the retention and storage of precipitation and accumulated inland water falling on the area);
- vii. Shift from combined to separated sewer/storm water systems.

(C) Support for more precise management of irrigation that results in water savings and efficiency:

- Irrigation that leads to water savings of at least a 10% decrease in water use;
- Precision irrigation technologies (e.g. variable rate irrigation, micro-irrigation, combination with liquid fertilisation);
- Development and reconstruction of irrigation infrastructure and related structures;

NB: New irrigation and/or expansion of existing irrigation systems are eligible only if the beneficiary can demonstrate through relevant documentation, compliance with national rules/prior authorisations regarding the abstraction of fresh surface water and groundwater/ good status of the water bodies.

(D) ICT applications and solutions that are dedicated to:

- Hydrological modelling and forecasting;
- Smart water management, including advanced metering and monitoring technologies;
- Increasing water savings, conservation and efficiency, or improving water quality.

HOW is the eligibility assessment made:

Applicable for:	Type of verification:
(A)	<ul style="list-style-type: none"> ✓ Description of investment, and where applicable ✓ Other Technical Documentation such as: <ul style="list-style-type: none"> ➤ For 5.1.A.i, external certification/technical documentation to prove the improvement in water efficiency/consumption, OR ➤ For 5.1.A.iv, proof of compliance with relevant certification scheme, OR ➤ Technical documentation from suppliers, installers, other as applicable; <p>AND</p> <ul style="list-style-type: none"> ✓ Control of Use of Funds together with legal covenants.
(B)	<ul style="list-style-type: none"> ✓ Description of investment; <p>AND</p> <ul style="list-style-type: none"> ✓ Control of Use of Funds together with legal covenants.
(C)	<ul style="list-style-type: none"> ✓ Description of investment; <p>AND</p> <ul style="list-style-type: none"> ✓ Proof of permits/compliance with national environmental legislation, including but not limited to:

	<ul style="list-style-type: none"> i. Documentation of the irrigation project prepared only by “hydrologic planning engineers” authorised by national authorities; OR ii. A certificate from the national water regulatory authorities (managing the water rights on water bodies) in relation to the availability of water for irrigation; OR iii. Water use permit issued for the yearly operation of irrigation system; <p>AND</p> <ul style="list-style-type: none"> ✓ Other Technical Documentation Ex-ante external certification for Irrigation that leads to water savings of at least a 10% decrease in water use; <p>AND</p> <ul style="list-style-type: none"> ✓ Control of Use of Funds together with legal covenants.
(D)	<ul style="list-style-type: none"> ✓ Financial Intermediary verification as per its underwriting process, based on Final Recipient’s business/project plan; <p>AND</p> <ul style="list-style-type: none"> ✓ Control of Use of Funds together with legal covenants.

WHEN should the assessment be made:

- The purpose of the Final Recipient Transaction and related legal covenants shall be reflected at signature date within the final recipient transaction agreement signed between the Intermediary and the Final Recipient;
- Where applicable, the technical Documentation must be available prior to the disbursement;
- Where applicable the proof of permits/compliance with national environmental legislation, must be available prior to the disbursement;
- The documentary evidence of the Control of Use of Funds must have been satisfied prior to the disbursement.

For the avoidance of the doubt, the same document may be used to evidence both the Technical Documentation and Control of Use of Funds, where such document includes the required information.

5.2| Pollution prevention and control

Eligibility Criteria no 5.2

Investments in reduction, control and prevention of pollutant emissions into air and noise reduction.

WHAT is eligible:

Investment in cleaner production technologies or end of pipe mitigation technologies including manufacture of essential products, key components and new tech that reduce emissions of pollutants into the air and investment in noise reduction.

This includes:

- (A) Investments in equipment that will substantially reduce air pollution (PM 2.5, PM 10 particles, NH₃ (ammonia), CH₄ (methane)) such as: boilers, scrubbers, multiclones dust collectors, manure storage;
- (B) End-of-pipe solutions to reduce particulate emissions to air such as filters;
- (C) Low-emission techniques to incorporate manure in the soil and nitrogen inorganic fertilisers, the measure with the greatest potential to reduce NH₃ emissions;
- (D) Investments in industrial noise abatement such as: acousting enclosures (machine guards), acrylic glass, noise barriers;
- (E) In aviation, centralised de-icing pads to avoid contamination of groundwater.

HOW is the eligibility assessment made:

The assessment of the Final Recipient Transaction eligibility is based on:

- ✓ Description of the investment;

AND

- ✓ Other Technical Documentation as applicable;

AND

- ✓ Control of Use of Funds together with legal covenants.

WHEN should the assessment be made:

- The purpose of the Final Recipient Transaction and related legal covenants shall be reflected at signature date within the final recipient transaction agreement signed between the Intermediary and the Final Recipient;
- Where applicable, the Technical Documentation must be available prior to the disbursement;
- The documentary evidence of the Control of Use of Funds must have been satisfied prior to the disbursement;

For the avoidance of the doubt, the same document may be used to evidence both the Technical Documentation and Control of Use of Funds, where such document includes the required information.

6| Protection and restoration of biodiversity and ecosystems-Nature-based solutions

Eligibility Criteria no 6.1

Investments in nature-based solutions or financing of enterprises operating in sectors providing nature-based solutions.

WHAT is eligible:

(A) Investments in nature-based solutions or Final Recipients operating in sectors providing nature-based solutions

(B) Investments or enterprises operating or providing services in:

- i. Landscape/green spaces restoration and management. This action includes protection, restoration and effective management of areas of significant ecological value on land or sea, such as Natura 2000 sites, protected areas (e.g. national parks, nature reserves, ecological sites, landscape parks, wetland or seagrass restoration), protection of species of EU interest, habitats of pollinators, functional areas (e.g. ecological corridors) and areas protected under the Marine and Water Framework Directives;
- ii. Green buildings: Living green roofs, facades, living green indoor/outdoor walls;
- iii. Sustainable biomaterials for construction (e.g. timber frames) or food preservation (e.g. edible coatings);
- iv. Sustainable tourism and NBS for health & wellbeing, solutions that improve the environmental performance or reduce the environmental impacts, including agritourism, eco-tourism and nature-based or forestry tourism, as well as projects that promote the conservation of natural and cultural heritage and landscape;
- v. Advisory services such as urban greening design & planning, landscape architecture, water management;
- vi. ICT solutions that explicitly aim to contribute to the conservation and protection of biodiversity, ecosystems and the services they provide, such as:
 - monitoring and sensor technology;
 - data analysis and processing;
 - assessment and decision making, communication and networking;
 - biodiversity information and education;

HOW is the eligibility confirmed:

The assessment of the Final Recipient Transaction eligibility is based on:

- ✓ Description of investment;

AND

- ✓ Self-declaration from the Final Recipient stating that the purpose of transaction or its core business contributes to the protection, conservation and/or restoration of biodiversity and ecosystems;

AND

- ✓ Control of Use of Funds together with legal covenants.

For investments involving the restoration of a polluted/contaminated site, the Financial Intermediary shall ask for a self-declaration from the Final Recipient that, to the best of his/her knowledge, the investment does not concern restoration of a site where pollution³¹/contamination/environmental damage³² has taken place after 21st April 2007, or if this is the case – then a self-declaration that the Final Recipient is not the "operator" (natural or legal, private or public person) who operated or controlled the occupational activity leading to the contamination/pollution/environmental damage.

WHEN should the assessment be made:

- The purpose of the Final Recipient Transaction and related legal covenants shall be reflected at signature date within the final recipient transaction agreement signed between the Intermediary and the Final Recipient;
- The documentary evidence of the Control of Use of Funds must have been satisfied prior to the disbursement.

³¹ Means the direct or indirect introduction, as a result of human activity, of substances, vibrations, heat or noise into air, water or land which may be harmful to human health or the quality of the environment, result in damage to material property, or impair or interfere with amenities and other legitimate uses of the environment (source Directive 2010/75 <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32010L0075&qid=1399014331474>)

³² see Article 2 of the Environmental Liability Directive: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32004L0035&qid=1635414914261>

7| Agricultural and forestry activities

7.1| Sustainable forests and other climate mitigation investments

Eligibility Criteria no 7.1

Investments in afforestation, reforestation, forest rehabilitation/restoration including related equipment as well as sustainable forest management (SFM).

WHAT is eligible:

Investments include:

- (A) Investments in reforestation and/or afforestation³³, such as nurseries, urban or roadside mini-forests, green “infrastructure” with the purpose of protecting against soil erosion and/or torrential flow prevention and mitigation measures, including expenses in forest site preparations for planting;
- (B) Investments in forest protection and/or restoration/rehabilitation³³ and deployment of Sustainable Forest Management (SFM) practices, including pruning and tending, fire prevention and fire-fighting measures, protection from pests and/or wildlife, etc;
- (C) Investments in equipment and technologies to support SFM as well as reforestation or afforestation efforts, e.g. drones for early fire detection or seeding (i.e. firing seed-pods).

HOW is the eligibility assessment made:

The assessment of the Final Recipient Transactions eligibility is based on:

- ✓ Description of investment including compliance documentation with the definition of Sustainable Forest Management established in pan-European framework of Forest Europe ;

AND

- ✓ Control of Use of Funds together with legal covenants.

WHEN should the assessment be made:

- The purpose of the Final Recipient Transaction and related legal covenants shall be reflected at signature date within the final recipient transaction agreement signed between the Intermediary and the Final Recipient;
- The documentary evidence of the Control of Use of Funds must have been satisfied prior to the disbursement.

³³ The use of non-native habitats and species should be excluded, unless this is justified by ecosystem and climatic conditions

7.2| Sustainable and organic agricultural or aquacultural practices

Eligibility Criteria no 7.2

Investments in new or existing (i) certified organic production, and/or (ii) sustainable agriculture, where such investments do not lead to the conversion, fragmentation or intensification of use of natural habitats (particularly areas of high-biodiversity value).

WHAT is eligible:

Investments in new and existing:

(I) Certified organic production;

In conversion and organic certified operators (incl. agriculture and aquaculture producers, processors, storage service providers, slaughterhouses, retailers, etc. as defined by Regulation (EU) 2018/848); OR

(II) Sustainable agriculture practices;

- Investments include agricultural practices included in the list of Agricultural practices that Eco-schemes could support, as listed in Annex I³⁴, including (but not limited to):
- Pest management practices - including buffer strips without pesticides, resilient pest-resistant crops, mechanical weed control, etc;
- Agro-ecology practices, such as crop rotation, minimum tillage, sowing on residues and practices including mixed/multi cropping;
- Precision farming including nutrients management plan, minimise nutrient release, optimal pH for nutrient uptake, circular agriculture, precision crop farming to reduce inputs (e.g. fertilisers, water, plant protection products), improving irrigation efficiency;
- Non-traditional crops, including, among others, algae, proteins from insects used for fish and animal nutrition etc;
- Practices and technologies to reduce emissions in livestock and manure management, such as feed additives, precision feeding, cover of manure storage, manure treatments and nutrient recovery from manure.

HOW is the eligibility assessment made:

The assessment of the Final Recipient Transactions eligibility is based on:

In the case of (I) certified organic production :

³⁴ The online version of the "List of potential agricultural practices that eco-schemes could support" was discontinued. As of 18 April 2024, the list is provided in the Annex I of this Use Case Document.

- ✓ Proof of certification in organic agriculture (conversion or maintenance, as applicable) of the production method:
 - the certificate publicly available in the *TRACES* organic operator certificate system³⁵;

AND

- ✓ Final recipient's undertaking that the investment does not lead to the conversion, fragmentation or intensification of use of natural habitats;

AND

- ✓ Control of Use of Funds together with legal covenants.

In the case of (II) sustainable agricultural practices:

- ✓ Business plan for implementing new measures, expansion of sustainable production that are within the scope of agricultural practices listed in the Commission document on eco-schemes; OR
- ✓ Proof of FR receiving support for sustainable agricultural activities, from the relevant national authority (in line with art.70 of REGULATION (EU) 2021/2115, if applicable);

AND

- ✓ Final recipient undertaking that the investment does not lead to the conversion, fragmentation or intensification of use of natural habitats;

AND

- ✓ Control of Use of Funds together with legal covenants.

Investments in existing animal production activities (including livestock and aquaculture) are permitted provided such investments do not result in an expansion of activities in terms of livestock.

WHEN should the assessment be made:

The purpose of the Final Recipient Transaction and related legal covenants shall be reflected at signature date within the final recipient transaction agreement signed between the Intermediary and the Final Recipient;

The documentary evidence of the Control of Use of Funds must have been satisfied prior to the disbursement.

³⁵ Available at: <https://webgate.ec.europa.eu/tracesnt/directory/publication/organic-operator/index#!?sort=-issuedOn>

8| Accessibility criteria

Eligibility Criteria no 8.1

Investments to enhance accessibility of services, products and infrastructures and to develop assistive technologies as well as for making the organisation and its premises accessible for customers and employees with disabilities and/or impaired function.

WHAT is eligible:

Investments include:

- (A) Introducing or enhancing accessibility features of mainstream technologies and products such as computers, operating systems, vehicles, home appliances, phones, and/or services including online services or web content and infrastructures;
- (B) Investments of SMEs/small mid-cap's that provide accessibility services (including consultancy services) in order to make accessible products and services that have barriers that hinder their usage or consumption by persons with disabilities and/or impaired function;
- (C) Development and deployment of assistive technology including based on robotics (e.g. wheelchair elevators, adapted cars, racks, ramps, sensors and lightning guidance, tactile devices, sound, signing, etc.) or artificial intelligence or other new technologies;
- (D) Improve accessibility of the facilities of SME's/small mid-caps including buildings and digital tools including websites and mobile applications for the employees (i.e. adaptation of workplaces) and customers with disabilities and/or with physical or mental impairments.

HOW is the eligibility assessment made:

The assessment of the Final Recipient Transactions eligibility is based on:

- ✓ Description of the investments;
- AND
- ✓ Control of Use of Funds together with legal covenants.

WHEN should the assessment be made:

- The purpose of the Final Recipient Transaction and related legal covenants shall be reflected at signature date within the final recipient transaction agreement signed between the Intermediary and the Final Recipient;
- The documentary evidence of the Control of Use of Funds must have been satisfied prior to the disbursement.

Annex I – List of potential agricultural practices that eco-schemes could support



The CAP is instrumental in managing the transition towards a sustainable food system and in strengthening the efforts of European farmers to contribute to the EU's climate objectives and to protect the environment. Eco-schemes are a new instrument in the CAP to support this transition. Member States will set eco-schemes in their CAP strategic plans. The Commission will assess and approve them as key tools for the CAP to deliver on the Green Deal targets.

This document contributes to the debate, enhances transparency of the process and gives farmers, administrations, scientists, stakeholders and the public the opportunity to discuss eco-schemes. This list has been established after a thorough discussion with experts.

Agricultural practices that could be supported by **eco-schemes** have to meet the following conditions:

- they should cover **activities related to climate, environment, animal welfare and antimicrobial resistance**;
- they shall be defined on the basis of **the needs and priorities identified at national/regional levels**;
- their level of ambition has to go **beyond the requirements and obligations established under the baseline (including conditionality)**;
- they shall contribute **to reaching the EU Green Deal targets**.



EU GREEN DEAL TARGETS



Reduce by 50% the overall use and risk of **chemical pesticides** and reduce use by 50% of more hazardous **pesticides** by 2030



Achieve at least 25% of the EU's agricultural land under **organic farming** and a significant increase in **organic aquaculture** by 2030



Reduce sales of **antimicrobials** for farmed animals and in aquaculture by 50% by 2030

Reduce **nutrient losses** by at least 50% while ensuring no deterioration in soil fertility; this will reduce use of **fertilisers** by at least 20 % by 2030



Bring back at least 10% of agricultural area **under high-diversity landscape features** by 2030

CAP Strategic Plans will put into practice enhanced conditionality, eco-schemes, farm advisory services as well as agri-environmental and climate measures and investments to address the Green Deal targets, in particular those stemming from the Farm to Fork Strategy and the Biodiversity Strategy for 2030, and to fulfil the climate and environmental specific objectives of the CAP.





CLIMATE CHANGE ENVIRONMENTAL CARE LANDSCAPES

CAP SPECIFIC OBJECTIVES

SO 4: Contribute to climate change mitigation and adaptation, as well as sustainable energy

SO 5: Foster sustainable development and efficient management of natural resources such as water, soil and air

SO 6: Contribute to the protection of biodiversity, enhance ecosystem services and preserve habitats and landscapes

SO 9: Improve animal welfare and address antimicrobial resistance


AREAS OF ENVIRONMENT, CLIMATE AND ANIMAL WELFARE ACTIONS UNDER THE CAP STRATEGIC PLANS

- a.** **Climate change mitigation,** including reduction of GHG emissions from agricultural practices, as well as maintenance of existing carbon stores and enhancement of carbon sequestration
- b.** **Climate change adaptation,** including actions to improve resilience of food production systems, and animal and plant diversity for stronger resistance to diseases and climate change
- c.** **Protection or improvement of water quality** and reduction of pressure on water resources
- d.** **Prevention of soil degradation,** soil restoration, improvement of soil fertility and of nutrient management
- e.** **Protection of biodiversity,** conservation or restoration of habitats or species, including maintenance and creation of landscape features or non-productive areas
- f.** **Actions for a sustainable and reduced use of pesticides,** particularly pesticides that present a risk for human health or environment
- g.** **Actions to enhance animal welfare** or address antimicrobial resistance



EXAMPLES OF AGRICULTURE PRACTICES

1. PRACTICES ESTABLISHED IN EU POLICY INSTRUMENTS:

- **Organic farming practices**, as defined in Regulation (EU) 2018/848 (b, c, d, f, g)
 - Conversion to organic farming (b, c, d, f, g)
 - Maintenance of organic farming (b, c, d, f, g) 
- **Integrated Pest Management practices**, as defined in Sustainable Use Directive (b, c, d, e, f) and including:
 - Buffer strips with management practices and without pesticide (c, e, f)
 - Mechanical weed control (c, e, f)
 - Increased use of resilient, pest-resistant crop varieties and species (b)
 - Land lying fallow with species composition for biodiversity purpose (c, e, f)

2. OTHER PRACTICES:

- **Agro-ecology** including
 - Crop rotation with leguminous crops (a, b, d, f)
 - Mixed cropping - multi cropping (b, d, e, f)
 - Cover crop between tree rows on permanent crops - orchards, vineyards, olive trees - above conditionality (a, c, d, e, f)
 - Winter soil cover and catch crops above conditionality (a, b, c, d)
 - Low intensity grass-based livestock system (a, c, d, g)
 - Use of crops/plant varieties more resilient to climate change (b, c, e, f)
 - Mixed species/diverse sward of permanent grassland for biodiversity purpose (pollination, birds, game feedstocks) (c, d, e, f)
 - Improved rice cultivation to decrease methane emissions (e.g. alternate wet and dry techniques) (a)
 - Practices and standards as set under organic farming rules (b, c, d, f)
- **Husbandry and animal welfare plans** including
 - Feeding plans: suitability of and access to feed and water, feed and water quality analyses (e.g. micotoxines), optimised feed strategies (g)
 - Friendly housing conditions: increased space allowances per animal, improved flooring (e.g., straw bedding provided on a daily basis), free farrowing, provision of enriched environment (e.g. rooting for pigs, perching, nest-building materials, etc.), shading/sprinklers/ventilation to cope with heat stress (b, g)
 - Practices and standards as set under organic farming rules (g)
 - Practices increasing animal robustness, fertility, longevity and adaptability, e.g. lifespan of dairy cows; breeding lower emission animals, promoting genetic diversity and resilience (a, b, g)
 - Animal health prevention and control plans: overall plan for reducing the risk of infections that require antimicrobials and covering all relevant husbandry practices, e.g. crawl space between two rearing belts, vaccination and treatments, enhanced biosecurity, use of feed additives, etc. (g)
 - Providing access to pastures and increasing grazing period for grazing animals (a, b, g)
 - Provide and manage regular access to open air areas (g)





➤ **Agro-forestry** including

- Establishment and maintenance of landscape features above conditionality (a, c, d, e)
- Management and cutting plan of landscape features (e, f)
- Establishment and maintenance of high-biodiversity silvo-pastoral systems

➤ **High nature value (HNV) farming** including

- Land lying fallow with species composition for biodiversity purpose (pollination, birds, game feedstocks, etc.) (c, e, f)
- Shepherding on open spaces and between permanent crops, transhumance and common grazing (b, d, e, f, g)
- Semi-natural habitat creation and enhancement (a, b, c, d, e, f, g)
- Reduction of fertiliser use, low intensity management in arable crops (a, b, c, d, e, f, g)

➤ **Carbon farming** including

- Conservation agriculture (a, d)
- Rewetting wetlands/peatlands, paludiculture (a, c, d, e)
- Minimum water table level during winter (a, c, d)
- Appropriate management of residues, i.e. burying of agricultural residues, seeding on residues (a, c, d)
- Establishment and maintenance of permanent grassland (a, c, d, e, f)
- Extensive use of permanent grassland (a, c, d)

➤ **Precision farming** including

- Nutrients management plan, use of innovative approaches to minimise nutrient release, optimal pH for nutrient uptake, circular agriculture (a, c, d, f)
- Precision crop farming to reduce inputs (fertilisers, water, plant protection products) (e, f)
- Improving irrigation efficiency (b)

➤ **Improve nutrient management,** including

- implementation of nitrates-related measures that go beyond the conditionality obligations (c, d, e,)
- measures to reduce and prevent water, air and soil pollution from excess nutrients such as soil sampling if not already obligatory, creation of nutrient traps (c, d, e,)

➤ **Protecting water resources,** including

- Managing crop water demand (switching to less water intensive crops, changing planting dates, optimised irrigation schedules) (b)

➤ **Other practices beneficial for soil,** including

- Erosion prevention strips and wind breaks (b, d, e,)
- Establishment or maintenance of terraces and strip cropping (b, d, e,)

➤ **Other practices related to GHG emissions**

- feed additives to decrease emissions from enteric fermentation (a)
- Improved manure management and storage (a)

