



Ministerial Order for granting the permit for IJmuiden Ver Wind Farm Site Alpha

Order of the Minister for Climate and Energy Policy of 12 December 2023 no. WJZ/41336172, containing rules for granting the permit for IJmuiden Ver Wind Farm Site Alpha (Ministerial Order for granting the permit for IJmuiden Ver Wind Farm Site Alpha).

The Minister for Climate and Energy Policy ,

Having regard to Section 10(2) and (3), Section 12a(2), (3), (5) and (6), Section 14(2), Section 14a(2) and (4), Section 15a(2) and (4), Section 24(3) and (4) and Section 25b(3) and (4) of the Offshore Wind Energy Act (Wet windenergie op zee);

Has decided the following:

Article 1

In this Ministerial Order, the following definitions apply:

Applicant: A party that has submitted an application;

Wind farm site: Wind Farm Site Alpha in the IJmuiden Ver Wind Farm Zone, as designated in <https://zoek.officielebekendmakingen.nl/s-tcrt-2023-35269.html> ;

minister: The Minister for Climate and Energy Policy;

P50 value for net electricity production: The expected annual energy production for a particular offshore wind farm at a specific location, determined with a probability of 50%;

Affiliated legal entity: All legal entities and partnerships belonging to the group or group company to which the applicant belongs and joint ventures in which the applicant participates;

Act: Offshore Wind Energy Act (Wet windenergie op zee)

Article 2

1. An application for a permit for the wind farm site must be submitted in the period from 29 February 2024 to 28 March 2024 (5pm CET).
2. An applicant may not submit more than one application.
3. For the purposes of paragraph 2, affiliated legal entities will be treated as a single applicant.

Article 3

1. The design for the wind farm, as referred to in Section 12a(4)(a) of the Act, must at least include:
 - a. A wind energy yield calculation drawn up by an independent organisation with expertise in the field of wind energy yield calculations, using renowned calculation models, environmental models, wind models and wind maps and containing at least the location data, brand, type, technical specifications of the wind turbines (including shaft height, rotor diameter and



- power/capacity curve), the local wind data for the wind farm and a calculation of the P50 value for the net electricity production of the wind farm;
- b. Documents that demonstrate compliance with the applicable Wind Farm Site Decision ; and
 - c. Information demonstrating the declaration referred to in Article 7.34(2)(c) of the Environmental Activities Decree (*Besluit activiteiten leefomgeving*) can be submitted in a timely manner.
2. When calculating the P50 value for net electricity production, the availability, wake effects, electricity losses and curtailment losses are included, whereby only the wake effect of the wind farm for which the application is made is taken into account.
 3. The timetable for construction and operation of the wind farm, referred to in Section 12a(4)(b) of the Act, must state the completion dates of the following activities:
 - a. The wind farm operator's consent to the offshore grid operator's condition for connection and transmission of electricity in accordance with the Electricity Act 1998 (Elektriciteitswet 1998);
 - b. Awarding contracts to manufacturers, suppliers and installers;
 - c. Installation of the first foundation;
 - d. Installation of the first wind turbine;
 - e. Start of pulling the 66 kV cables on the offshore grid substation platform;
 - f. Start of electricity supply;
 - g. Readiness to supply full power for the test phase of the offshore grid; and
 - h. Decommissioning of the wind farm.
 4. The estimate of the costs and revenue, as referred to in Section 12a(4)(c) of the Act, shall in any case include an operating calculation with:
 - a. A specification of the investment costs per component of the offshore wind farm;
 - b. An overview of all costs and revenues of the offshore wind farm; and
 - c. A calculation of the project return over the life of the project.
 5. The parties involved in the construction and operation of the wind farm, as referred to in Section 12a(4)(d) of the Act, must include:
 - a. The applicant and, if the applicant is a partnership, each participant in the partnership;
 - b. The parties responsible for project management;
 - c. The manufacturers of the foundations;
 - d. The installers of the foundations;
 - e. The manufacturers of the wind turbines;
 - f. The installers of the wind turbines;
 - g. The manufacturers of the wind farm's (infield) cabling;
 - h. The installers of the wind farm's (infield) cabling; and
 - i. The parties responsible for operation and maintenance of the wind farm.
 6. The description of the knowledge and experience of the parties involved, as referred to in Section 12a(4)(e) of the Act, relates to knowledge and experience with offshore wind farms and must include:
 - a. The installed capacity of the wind farms for which project management has been carried out by the party/parties responsible for project management during construction;
 - b. The number of foundations produced by the manufacturers;
 - c. The number of foundations installed by the installers;
 - d. The number of wind turbines supplied by the manufacturers;
 - e. The number of wind turbines installed by the installers;
 - f. The number of offshore electricity connections for which cabling has been supplied by the



- manufacturers;
- g. The number of wind turbines connected by the installer(s) of the infield cabling; and
 - h. The installed capacity of wind farms the responsible operation and maintenance parties operates and maintains.

Article 4

In addition to that which is stated in Section 12a(4) of the Act and Article 3, applications must also include the following:

- a. A summary description of the realisation and documents demonstrating that the applicable delivery dates from the Offshore Wind Energy Development Framework, referred to in Article 16e of the Electricity Act 1998, can be met;
- b. A summary of the operation and removal (decommissioning) of the wind farm;
- c. A financing plan, including the intended financiers/investors and the intended share they would contribute;
- d. If the applicant is a partnership/consortium, a statement signed by each participant in the partnership/consortium;
- e. The most recently adopted annual accounts of the applicant, its parent company, each of the participants in the partnership/consortium or the parent companies of the participants in the partnership/consortium, where the annual accounts relate to a year no later than three calendar years before the year in which the application is submitted;
- f. An organisational chart of the legal entities associated with the applicant;
- g. The registration number in the commercial register of all legal entities associated with the applicant;
- h. If applicable, a description of the degree of compliance with the International Responsible Business Conduct (IRBC) Agreement for the Renewable Energy Sector referred to in Table 4 of the Appendix;
- i. If applicable, a description of the level of insight into raw material consumption, environmental impact and value retention during the design, construction, operation and disposal of the wind farm, referred to in Table 5 of the Appendix; and
- j. If applicable, a description of the contribution of the wind farm to the ecosystem of the Dutch North Sea, as referred to in Table 6 of the Appendix.

Article 5

1. The cost for the processing a permit application, as referred to in Section 12a(6) of the Act, is €0.
2. The period referred to in Section 14(1)(d) of the Act is 56 months after the permit has become irrevocable.

Artikel 6

1. When assessing the technical feasibility of the construction and operation of a wind farm, the following will, in any event, be taken into account:
 - a. The design for the wind farm submitted by the applicant, referred to in Section 12a(4)(a) of the Act; and
 - b. The information submitted by the applicant with regard to knowledge and experience with offshore wind farms, as referred to in Article 3(6).



2. When assessing the financial feasibility of the construction and operation of a wind farm, the estimate of costs and revenues submitted by the applicant, referred to in Section 12a(4)(c) of the Act, shall in any case be taken into account and the data referred to in Article 4(c), (d) and (e). The size of the applicant's equity amounts to at least 20% of the total investment costs for the wind farm to which the application relates.
3. At the request of the applicant, the following shall be taken into account to determine the size of the equity referred to in the second paragraph:
 - a. If the applicant is a partnership, the equity of the participants in the partnership;
 - b. If the applicant or a participant in a partnership/consortium is a subsidiary, the equity of the parent company.
4. When assessing the plausibility that construction and operation of a wind farm can start within 56 months after the date on which the permit became irrevocable, the timetable provided by the applicant, referred to in Section 12a(4)(b) of the Act, will in any case be taken into account.
5. When assessing the economic feasibility of the construction and operation of a wind farm, the estimate of costs and revenues submitted by the applicant, referred to in Section 12a(4)(c) of the Act, shall in any case be taken into account.

Article 7

1. A permit is granted by applying the procedure of a comparative test with a financial bid.
2. In addition to Section 25b(2) of the Act, the Minister takes into account the criteria in the ranking:
 - a. Compliance with the principles of the International Responsible Business Conduct (IRBC) Agreement for the Renewable Energy Sector, referred to in Table 4 of the Appendix;
 - b. The degree of insight into raw material consumption, environmental impact and value retention in the design, construction, operational and removal (decommissioning) of the wind farm, referred to in Table 5 of the Appendix; and
 - c. The contribution of the wind farm to the ecosystem of the Dutch North Sea, referred to in Table 6 of the Appendix.

Article 8

1. The respective weighting of the ranking criteria, as referred to in Section 25b(2)(a), (b) and (c) of the Act and Article 7(1) and (2)(a), (b) and (c), will take place in accordance with the rating in points as set out in the Appendix, where a higher number of points leads to a higher ranking.
2. If, in the ranking of applications based on the respective weighting of the ranking criteria as referred to in the first paragraph, two or more applications are ranked equal highest, the criterion specified in Article 7(2)(c) carries more weight than the criteria specified in Section 25b(2)(a), (b) and (c) of the Act and Article 7(2)(a) and (b).



3. If, in the application of the second paragraph, two or more applications are ranked equal highest, the criterion specified in Section 25b(2)(c) of the Act carries more weight than the criteria specified in Section 25b(a) and (b) of the Act and Article 7(2)(a) and (b).
4. If, in the application of the third paragraph, two or more applications are ranked equal highest, the criterion specified in Section 25b(2)(b) of the Act carries more weight than the criteria specified in Section 25b(2)(a) of the Act and Article 7(2)(a) and (b).
5. If, in the application of the fourth paragraph, two or more applications are ranked equal highest, the criterion specified in Article 7(2)(a) carries more weight than the criteria specified in Section 25b(2)(a) of the Act and Article 7(2)(b).
6. If, in the application of the fifth paragraph, two or more applications are ranked equal highest, the criterion specified in Article 7(2)(b) carries more weight than the criterion specified in Section 25b(2)(a) of the Act.
7. If, in the application of the sixth paragraph, two or more applications are ranked equal highest, the assessment of the financial bid submitted will have greater weight.

Article 9

1. The costs referred to in Section 10(1) of the Act amount to € 19,885,756.
2. The party granted the permit shall pay the reimbursement of the costs referred to in the first paragraph into an account published by the Minister no later than the day on which the period referred to in Article 10(2) expires.

Artikel 10

1. The amount of the deposit or bank guarantee referred to in Section 15a(1) of the Act is € 200,000,000.
2. The period within which the deposit or bank guarantee must be provided is four weeks after the date on which the Minister granted the permit.
3. The period for which the deposit or bank guarantee must be provided ends, at the latest, when the Minister has been notified of the full commissioning of the wind farm.
4. The amount of the deposit or bank guarantee that is forfeited pursuant to Section 15a(4) of the Act is:
 - a. €0 for the period during which the permit holder has not carried out the activities indicated in the permit for that period;
 - b. €10,000,000 for the first and second month following the period during which the permit holder has not carried out the activities indicated in the permit for that period; and
 - c. € 20,000,000 for each month following the second month of the period during which the permit holder has not carried out the activities indicated in the permit for that period.



5. The deposit referred to in Section 15a(1) of the Act is taken out with an insurer that has at least one rating (long-term rating A) issued by a rating agency in accordance with Regulation (EC) No. 1060/2009 of the European Parliament and Council of 16 September 2009 on credit rating agencies

Article 11

This Ministerial Order comes into effect on 1 January 2024.

Article 12

This Ministerial Order is referred to as: Ministerial Order for granting the permit for IJmuiden Ver Wind Farm Site Alpha.

This Ministerial Order and associated explanatory notes will be published in the Government Gazette.

The Hague, 12 December 2023

The Minister for Climate and Energy Policy,

R.A.A. Jetten

APPENDIX TO ARTICLE 8(1) OF THE MINISTERIAL ORDER FOR GRANTING THE PERMIT FOR IJMUIDEN VER WIND FARM SITE ALPHA

Respective weighting of the ranking criteria specified in Section 25b(2)(a), (b) and (c) of the Act and Article 7(1) and (2) of the Ministerial Order

Table 1

Criterion: Amount of the financial bid (Section 25b(2)(a) of the Act) Maximum number points: 60				
	Qualitative criterion	Assessment measure	Pts.	
1	Amount of the financial bid	The amount of the financial bid that will be guaranteed annually during the permit period of 40 years	Number points = $\frac{\text{financial bid}}{\text{€ 420,000,000}} * 60$	0 – 60, rounded to two decimal points

Table 2

Criterion: Certainty of the wind farm being completed (Section 25b(2)(b) of the Act) Maximum number points: 40			
	Qualitative criteria	Assessment measure	Pts.
1	Knowledge and experience of the party/parties responsible for the project management.	This party (these parties) has (have) carried out the project management of offshore wind farms.	0
		These wind farms have a combined capacity of less than 25 MW.	10
2	Knowledge and experience of the foundation manufacturer(s).	Fewer than 10 foundations have been manufactured.	0
		Ten or more foundations have been manufactured.	2
3	Knowledge and experience of the foundation installer(s).	Fewer than 10 foundations have been installed.	0
		Ten or more foundations have been installed.	2
4	Knowledge and experience of the wind turbine manufacturer(s).	Fewer than 10 wind turbines have been manufactured.	0
		Ten or more wind turbines have been manufactured.	2
5	Knowledge and experience of the wind turbine installer(s).	Fewer than 10 wind turbines have been installed.	0
		Ten or more wind turbines have been installed.	2
6	Knowledge and experience of the manufacturer(s) of the cables that connect the individual wind turbines and link them to the substation platform.	Cables manufactured for fewer than 10 offshore connections.	0
		Cables manufactured for 10 or more offshore connections.	2
7	Knowledge and experience of the installer(s) of the cables that connect the individual wind turbines and link them to the substation platform.	Cables installed for the connection of fewer than 10 wind turbines to a platform.	0
		Cables installed for the connection of 10 or more wind turbines to a platform.	2
8	Knowledge and experience of the party or parties responsible the operation and maintenance of the wind farm.	Experience in operation and maintenance of offshore wind farms with a combined capacity of less than 25 MW.	0
		Experience in operation and maintenance of offshore wind farms with a combined capacity of 25 MW or more.	2

9	Financial strength of the party/parties responsible for the project.	The equity of the party/parties in relation to the wind farm investment costs.	The equity capital amounts to less than 20%.	0
			The equity capital amounts to at least 20% but less than 40%.	2
			The equity capital amounts to at least 40% but less than 60%.	4
			The equity capital amounts to at least 60% but less than 80%.	8
			The equity capital amounts to at least 80% but less than 100%.	12
			The equity capital amounts to 100%.	16

Table 3

Criterion: The wind farm's contribution to energy supply (Section 25b(2)(c) of the Act)				
Maximum number of points: 40				
		Qualitative criteria	Assessment measure	Pts.
1	Contribution of the offshore wind farm to energy supply	The calculated P50 value for the net electricity production per year fed into the offshore grid	Less than 7,800,000 MWh per year	2
			Equal to or greater than 7,800,000 MWh but less than 8,000,000 MWh per year	8
			Equal to or greater than 8,000,000 MWh but less than 8,200,000 MWh per year	16
			Equal to or greater than 8,200,000 MWh but less than 8,400,000 MWh per year	24
			Equal to or greater than 8,400,000 MWh but less than 8,600,000 MWh per year	32
			Equal to or greater than 8,600,000 MWh per year	40



Table 4

Criterion: Compliance with the principles of the International Responsible Business Conduct (IRBC) Agreement for the Renewable Energy Sector (Section 25b(3) of the Act and Article 7(2) of the Ministerial Order)
Maximum number points: 40

	Qualitative criteria	Assessment measure	Pts.	
1	<p>Applying due diligence (hereinafter: due diligence) in accordance with the 2023 updated Guidelines for Multinational Enterprises of the Organisation for Economic Cooperation and Development¹ (hereinafter: OECD Guidelines) and the 2011 United Nations Guiding Principles on Business and Human Rights (hereinafter: UNGPs) by the parties referred to in Article 3(5)(a, b, c, d, e, f, g, h and l) of this Ministerial Order (hereinafter: parties)</p> <p>1.1 Integrating responsible business conduct into policies and management systems. Parties must be able to demonstrate that:</p> <ul style="list-style-type: none"> • They have a human rights and environmental due diligence policy; • Through this policy, they explicitly endorse the OECD Guidelines and UNGPs; • This policy is published on their website(s); • This policy is regularly updated; • This policy is proactively communicated within the company/companies; and • The main aspects of this policy are communicated to and requested from suppliers and other business partners in the supply chain, for example, via a supplier code of conduct. <p>When participating in the IRBC Agreement for the Renewable Energy Sector under the leadership of the Social and Economic Council of the Netherlands (hereinafter: "the IRBC Renewable Energy Agreement"), the permit holder will achieve at least an orange score² at the time the permit becomes irrevocable or – if it is not a participant in the IRBC Renewable Energy Agreement – this can be demonstrated through an alternative best-effort obligation, comparable to the IRBC Renewable Energy Agreement orange score.² The permit holder will report annually on this until the wind farm is ready to supply full power for the test phase.</p> <p>The maximum number of points that can be scored is 6.</p>	<p>Proof of participation in the IRBC Renewable Energy Agreement.</p> <p>In case of parties referred to in Article 3(5)(a, b, e, f and i): Applications to join the IRBC Renewable Energy Agreement must be submitted no later than 29 February 2024.</p> <p>In the case of parties referred to in Article 3(5)(c, d, g and h): The permit holder demonstrates, no later than one year after the permit becomes irrevocable, that these parties have acceded to the IRBC Renewable Energy Agreement.</p>	<p>Party/parties referred to in Article 3(5)(a)</p> <p>Party/parties referred to in Article 3(5)(b)</p> <p>Party/parties referred to in Article 3(5)(c)</p> <p>Party/parties referred to in Article 3(5)(d)</p> <p>Party/parties referred to in Article 3(5)(e)</p> <p>Party/parties referred to in Article 3(5)(f)</p> <p>Party/parties referred to in Article 3(5)(g)</p> <p>Party/parties referred to in Article 3(5)(h)</p> <p>Party/parties referred to in Article 3(5)(i)</p>	<p>1</p> <p>1</p> <p>0.5</p> <p>0.5</p> <p>1</p> <p>0.5</p> <p>0.5</p> <p>0.5</p> <p>0.5</p> <p>0.5</p>
		<p>Having a due diligence policy based on the qualitative criteria in section 1.1 of this table. This can be demonstrated by participation in another multi-stakeholder initiative comparable to the IRBC Renewable Energy Agreement.</p> <p>In the case of parties referred to in Article 3(5)(a, b, e, f and i): Participation in another multi-stakeholder initiative comparable to the IRBC Renewable Energy Agreement will take place before the application period expires.</p> <p>In the case of parties referred to in Article 3(5)(c, d, g and h): The permit holder demonstrates that these parties have joined a multi-stakeholder initiative comparable to the IRBC Renewable Energy Agreement no later than one year after the permit has become irrevocable.</p>	<p>Party/parties referred to in Article 3(5)(a)</p> <p>Party/parties referred to in Article 3(5)(b)</p> <p>Party/parties referred to in Article 3(5)(c)</p> <p>Party/parties referred to in Article 3(5)(d)</p> <p>Party/parties referred to in Article 3(5)(e)</p> <p>Party/parties referred to in Article 3(5)(f)</p> <p>Party/parties referred to in Article 3(5)(g)</p> <p>Party/parties referred to in Article 3(5)(h)</p>	<p>1</p> <p>1</p> <p>0.5</p> <p>0.5</p> <p>1</p> <p>0.5</p> <p>0.5</p> <p>0.5</p>

¹ MNE Guidelines – Organization for Economic Cooperation and Development (oecd.org)

² Defined in Section 5.4 of the explanatory notes.

			Party/parties referred to in Article 3(5)(i)	0.5
		<p>Having a due diligence policy based on the qualitative criteria referred to in section 1.1 of this table, without demonstrable participation in the IRBC Renewable Energy Agreement or another multi-stakeholder initiative comparable to it.</p> <p>The applicant can demonstrate this by providing insight into this due diligence policy.</p>	Party/parties referred to in Article 3(5)(a)	0.5
			Party/parties referred to in Article 3(5)(b)	0.5
			Party/parties referred to in Article 3(5)(c)	0.3
			Party/parties referred to in Article 3(5)(d)	0.2
			Party/parties referred to in Article 3(5)(e)	0.5
			Party/parties referred to in Article 3(5)(f)	0.2
			Party/parties referred to in Article 3(5)(g)	0.3
			Party/parties referred to in Article 3(5)(h)	0.2
			Party/parties referred to in Article 3(5)(i)	0.3



Criterion: Compliance with the principles of the International Responsible Business Conduct (IRBC) Agreement for the Renewable Energy Sector (Section 25b(3) of the Act and Article 7(2) of the Ministerial Order)
Maximum number points: 40

	Qualitative criteria	Assessment measure	Pts.	
	<p>1.2 Identifying human rights and environmental risks in the supply chain. Parties must be able to demonstrate that they:</p> <ul style="list-style-type: none"> • Make effort to increase insight into the supply chain ('chain transparency'). This can be demonstrated with documented procedures that describe steps and activities to increase chain transparency. It can also be demonstrated by participation in and successful implementation of commitments arising from multi-stakeholder initiatives. • Carry out or have carried out a chain risk analysis individually or together with other companies and parties active in the sector (through IRBC Agreements, industry organisations or other partnerships). This can be done, for example, through joint sectoral research into chain risks and by consulting civil society organisations to gain greater insight into existing and potential risks to human rights and the environment. This can be demonstrated through participation in multi-stakeholder initiatives. • Prioritising identified risks in collaboration with relevant parties, such as wind turbine manufacturers, civil society organisations, trade unions, knowledge institutions and other parties active in the sector. 	<p>Proof of participation in the IRBC Renewable Energy Agreement.</p> <p>In the case of parties referred to in Article 3(5)(a, b, e, f and i): Applications to join the IRBC Renewable Energy Agreement must be submitted no later than 29 February 2024.</p> <p>In the case of parties referred to in Article 3(5)(c, d, g and h): The permit holder demonstrates no later than one year after the permit becomes irrevocable that these parties have joined the IRBC Renewable Energy Agreement.</p>	<p>Party/parties referred to in Article 3(5)(a)</p>	1.5
		<p>Party/parties referred to in Article 3(5)(b)</p>	1	
		<p>Party/parties referred to in Article 3(5)(c)</p>	0.5	
		<p>Party/parties referred to in Article 3(5)(d)</p>	0.5	
		<p>Party/parties referred to in Article 3(5)(e)</p>	1.5	
		<p>Party/parties referred to in Article 3(5)(f)</p>	0.5	
		<p>Party/parties referred to in Article 3(5)(g)</p>	0.5	
		<p>Party/parties referred to in Article 3(5)(h)</p>	0.5	
		<p>Party/parties referred to in Article 3(5)(i)</p>	0.5	
		<p>When participating in the IRBC Renewable Energy Agreement, the permit holder achieves at least an orange score at the time the permit becomes irrevocable. If it is not a participant in the IRBC Renewable Energy Agreement, it demonstrates a commitment through an alternative best-effort obligation, comparable to the IRBC Renewable Energy Agreement orange score³. The permit holder will report annually on this until the wind farm is ready to supply full power for the test phase.</p> <p>The maximum number of points that can be scored is 7.</p>	<p>Having a due diligence policy based on the qualitative criteria in section 1.2 of this table. This can be demonstrated by participation in another multi-stakeholder initiative comparable to the IRBC Renewable Energy Agreement.</p> <p>In the case of parties referred to in Article 3(5)(a, b, e, f and i): Joining another multi-stakeholder initiative comparable to the IRBC Renewable Energy Agreement must take place in time for the assessment of the application.</p> <p>In the case of parties referred to in Article 3(5)(c, d, g and h): The permit holder must demonstrate that these parties have joined a multi-stakeholder initiative comparable to the IRBC Renewable Energy Agreement no later than one year after the permit has become irrevocable.</p>	<p>Party/parties referred to in Article 3(5)(a)</p>
	<p>Party/parties referred to in Article 3(5)(b)</p>		1	
	<p>Party/parties referred to in Article 3(5)(c)</p>		0.5	
	<p>Party/parties referred to in Article 3(5)(d)</p>		0.5	
	<p>Party/parties referred to in Article 3(5)(e)</p>		1.5	
	<p>Party/parties referred to in Article 3(5)(f)</p>		0.5	
	<p>Party/parties referred to in Article 3(5)(g)</p>		0.5	
	<p>Party/parties referred to in Article 3(5)(h)</p>		0.5	

³Defined in Section 5.4 of the explanatory notes



				Party/parties referred to in Article 3(5)(i)	0.5
			<p>Having a due diligence policy based on the qualitative criteria referred to in section 1.2 of this table, without demonstrable participation in the IRBC Renewable Energy Agreement or another multi-stakeholder initiative comparable to it.</p> <p>The applicant can demonstrate this by providing insight into this due diligence policy.</p>	Party/parties referred to in Article 3(5)(a)	0.5
				Party/parties referred to in Article 3(5)(b)	0.5
				Party/parties referred to in Article 3(5)(c)	0.3
				Party/parties referred to in Article 3(5)(d)	0.2
				Party/parties referred to in Article 3(5)(e)	0.5
				Party/parties referred to in Article 3(5)(f)	0.2
				Party/parties referred to in Article 3(5)(g)	0.3
				Party/parties referred to in Article 3(5)(h)	0.2
				Party/parties referred to in Article 3(5)(i)	0.3



Criterion: Compliance with the principles of the International Responsible Business Conduct (IRBC) Agreement for the Renewable Energy Sector (Section 25b(3) of the Act and Article 7(2) of the Ministerial Order)
Maximum number points: 40

	Qualitative criteria	Assessment measure	Pts.	
	<p>1.3 Preventing, stopping and/or mitigating the negative impact of business activities on people and the environment in the supply chain. Parties must be able to demonstrate that:</p> <ul style="list-style-type: none"> They prevent or address negative impacts on people and the environment in partnership with other companies, civil society organisations and trade unions. This can be demonstrated through participation in multi-stakeholder initiatives or by initiating and/or participating in (collective) projects. <p>When participating in the IRBC Renewable Energy Agreement, the permit holder achieves at least an orange score at the time the permit becomes irrevocable. If it is not a participant in the IRBC Renewable Energy Agreement, it demonstrates a commitment through an alternative best-effort obligation, comparable to the IRBC Renewable Energy Agreement orange score⁴. The permit holder will report annually on this until the wind farm is ready to supply full power for the test phase.</p>	<p>Proof of participation in the IRBC Agreement for the Renewable Energy Sector.</p>	Party/parties referred to in Article 3(5)(a)	1.5
		<p>In the case of parties referred to in Article 3(5)(a, b, e, f and i): Applications to join the IRBC Renewable Energy Agreement must be submitted no later than 29 February 2024.</p>	Party/parties referred to in Article 3(5)(b)	1
		<p>In the case of parties referred to in Article 3(5)(c, d, g and h): The permit holder will demonstrate, no later than one year after the permit becomes irrevocable, that these parties have joined the IRBC Renewable Energy Agreement.</p>	Party/parties referred to in Article 3(5)(c)	0.5
			Party/parties referred to in Article 3(5)(d)	0.5
			Party/parties referred to in Article 3(5)(e)	1.5
			Party/parties referred to in Article 3(5)(f)	0.5
			Party/parties referred to in Article 3(5)(g)	0.5
			Party/parties referred to in Article 3(5)(h)	0.5
			Party/parties referred to in Article 3(5)(i)	0.5
	<p>The maximum number of points that can be scored is 7.</p>	<p>Having a due diligence policy based on the qualitative criteria referred to in section 1.3 of this table. This can be demonstrated by participation in another multi-stakeholder initiative comparable to the IRBC Renewable Energy Agreement.</p>	Party/parties referred to in Article 3(5)(a)	1.5
		<p>In the case of parties referred to in Article 3(5)(a, b, e, f and i):</p> <p>Joining another multi-stakeholder initiative comparable to the IRBC Renewable Energy Agreement must take place in time for the assessment of the application.</p>	Party/parties referred to in Article 3(5)(b)	1
		<p>In the case of parties referred to in Article 3(5)(c, d, g and h):</p> <p>The permit holder must demonstrate that these parties have joined a multi-stakeholder initiative comparable to the IRBC Renewable Energy Agreement no later than one year after the permit has become irrevocable.</p>	Party/parties referred to in Article 3(5)(c)	0.5
			Party/parties referred to in Article 3(5)(d)	0.5
			Party/parties referred to in Article 3(5)(e)	1.5
			Party/parties referred to in Article 3(5)(f)	0.5
			Party/parties referred to in Article 3(5)(g)	0.5
			Party/parties referred to in Article 3(5)(h)	0.5
			Party(s) mentioned in art. 3 paragraph 5 element i	0.5

⁴ Defined in Section 5.4 of the explanatory notes



Criterion: Compliance with the principles of the International Responsible Business Conduct (IRBC) Agreement for the Renewable Energy Sector (Section 25b(3) of the Act and Article 7(2) of the Ministerial Order)
Maximum number points: 40

	Qualitative criteria	Assessment measure	Pts.
		Having a due diligence policy based on the qualitative criteria referred to in section 1.3 of this table, without demonstrable participation in the IRBC Agreement for the Renewable Energy Sector or another multi-stakeholder initiative comparable to it. The applicant can demonstrate this by providing insight into this due diligence policy.	Party/parties referred to in Article 3(5)(a) 0.5 Party/parties referred to in Article 3(5)(b) 0.5 Party/parties referred to in Article 3(5)(c) 0.3 Party/parties referred to in Article 3(5)(d) 0.2 Party/parties referred to in Article 3(5)(e) 0.5 Party/parties referred to in Article 3(5)(f) 0.2 Party/parties referred to in Article 3(5)(g) 0.3 Party/parties referred to in Article 3(5)(h) 0.2 Party/parties referred to in Article 3(5)(i) 0.3
	<p>1.4 Evaluating and monitoring due diligence measures. Parties must be able to demonstrate that:</p> <ul style="list-style-type: none"> They evaluate the implementation and effectiveness of due diligence activities to improve their due diligence practices. This can be done through, among other things, audits and participation in multi-stakeholder initiatives where monitoring and assessments are carried out. <p>When participating in the IRBC Renewable Energy Agreement, the permit holder achieves at least an orange score at the time the permit becomes irrevocable. If it is not a participant in the IRBC Renewable Energy Agreement, it demonstrates a commitment through an alternative best-effort obligation, comparable to the IRBC Renewable Energy Agreement orange score.⁶ The permit holder will report on this annually until the wind farm is ready to supply full power for the test phase.</p> <p>The maximum number of points that can be scored is 6.</p>	<p>Proof of participation in the IRBC Agreement for the Renewable Energy Sector.</p> <p>In the case of parties referred to in Article 3(5)(a, b, e, f and i): Applications to join the IRBC Renewable Energy Agreement must be submitted no later than 29 February 2024.</p> <p>In the case of parties referred to in Article 3(5)(c, d, g and h): The permit holder will demonstrate, no later than one year after the permit becomes irrevocable, that these parties have joined the IRBC Renewable Energy Agreement.</p>	Party/parties referred to in Article 3(5)(a) 1 Party/parties referred to in Article 3(5)(b) 1 Party/parties referred to in Article 3(5)(c) 0.5 Party/parties referred to in Article 3(5)(d) 0.5 Party/parties referred to in Article 3(5)(e) 1 Party/parties referred to in Article 3(5)(f) 0.5 Party/parties referred to in Article 3(5)(g) 0.5 Party/parties referred to in Article 3(5)(h) 0.5 Party/parties referred to in Article 3(5)(i) 0.5

⁶ Defined in Section 5.4 of the explanatory notes



Table 4 (continued)

Criterion: Compliance with the principles of the International Responsible Business Conduct (IRBC) Agreement for the Renewable Energy Sector (Section 25b(3) of the Act and Article 7(2) of the Ministerial Order)				
Maximum number points: 40				
	Qualitative criteria	Assessment measure		Pts.
		Having a due diligence policy based on the qualitative criteria in section 1.4 of this table. This can be demonstrated by participation in another multi-stakeholder initiative comparable to the IRBC Agreement for the Renewable Energy Sector.	Party/parties referred to in Article 3(5)(a)	1
		<p>In the case of parties referred to in Article 3(5)(a, b, e, f and i): Joining another multi-stakeholder initiative comparable to the IRBC Renewable Energy Agreement must take place in time for the assessment of the application.</p> <p>In the case of parties referred to in Article 3(5)(c, d, g and h): The permit holder must demonstrate that these parties have joined a multi-stakeholder initiative comparable to the IRBC Renewable Energy Agreement no later than one year after the permit has become irrevocable.</p>	Party/parties referred to in Article 3(5)(b)	1
			Party/parties referred to in Article 3(5)(c)	0.5
			Party/parties referred to in Article 3(5)(d)	0.5
			Party/parties referred to in Article 3(5)(e)	1
			Party/parties referred to in Article 3(5)(f)	0.5
			Party/parties referred to in Article 3(5)(g)	0.5
			Party/parties referred to in Article 3(5)(h)	0.5
			Party/parties referred to in Article 3(5)(i)	0.5
			Having a due diligence policy based on the qualitative criteria referred to in section 1.4 of this table, without demonstrable participation in the IRBC Agreement for the Renewable Energy Sector or another multi-stakeholder initiative comparable to it.	Party/parties referred to in Article 3(5)(a)
		<p>The applicant can demonstrate this by providing insight into this due diligence policy.</p>	Party/parties referred to in Article 3(5)(b)	0.5
			Party/parties referred to in Article 3(5)(c)	0.3
			Party/parties referred to in Article 3(5)(d)	0.2
			Party/parties referred to in Article 3(5)(e)	0.5
			Party/parties referred to in Article 3(5)(f)	0.2
			Party/parties referred to in Article 3(5)(g)	0.3
			Party/parties referred to in Article 3(5)(h)	0.2
			Party/parties referred to in Article 3(5)(i)	0.3



Table 4 (continued)

Criterion: Compliance with the principles of the International Responsible Business Conduct (IRBC) Agreement for the Renewable Energy Sector (Section 25b(3) of the Act and Article 7(2) of the Ministerial Order)					
Maximum number points: 40					
	Qualitative criteria	Assessment measure		Pts.	
	<p>1.5 Reporting on due diligence activities and results. Parties must be able to demonstrate that:</p> <ul style="list-style-type: none"> They publicly report annually on their due diligence process, the most significant actual or potential adverse impacts in the supply chain, what activities have been undertaken to identify and monitor those impacts, and all measures taken by the party to prevent, mitigate, remedy or eliminate actual or potential adverse impacts, and the outcome of such measures. <p>When participating in the IRBC Renewable Energy Agreement, the permit holder achieves at least an orange score at the time the permit becomes irrevocable. If it is not a participant in the IRBC Renewable Energy Agreement, it demonstrates a commitment through an alternative best-effort obligation, comparable to the IRBC Renewable Energy Agreement orange score⁶. The permit holder will report on this annually until the wind farm is ready to supply full power for the test phase. The maximum number of points that can be scored is 7.</p>	Proof of participation in the IRBC Agreement for the Renewable Energy Sector.	Party/parties referred to in Article 3(5)(a)	1.5	
		In the case of parties referred to in Article 3(5)(a, b, e, f and i): Applications to join the IRBC Renewable Energy Agreement must be submitted no later than 29 February 2024.	Party/parties referred to in Article 3(5)(b)	1	
		In the case of parties referred to in Article 3(5)(c, d, g and h): The permit holder will demonstrate, no later than one year after the permit becomes irrevocable, that these parties have joined the IRBC Renewable Energy Agreement.	Party/parties referred to in Article 3(5)(c)	0.5	
			Party/parties referred to in Article 3(5)(d)	0.5	
			Party/parties referred to in Article 3(5)(e)	1.5	
			Party/parties referred to in Article 3(5)(f)	0.5	
			Party/parties referred to in Article 3(5)(g)	0.5	
			Party/parties referred to in Article 3(5)(h)	0.5	
			Party/parties referred to in Article 3(5)(i)	0.5	
			Having a due diligence policy based on the qualitative criteria in section 1.5 of this table. This can be demonstrated by participation in another multi-stakeholder initiative comparable to the IRBC Agreement for the Renewable Energy Sector.	Party/parties referred to in Article 3(5)(a)	1.5
			In the case of parties referred to in Article 3(5)(a, b, e, f and i):	Party/parties referred to in Article 3(5)(b)	1
			Joining another multi-stakeholder initiative comparable to the IRBC Renewable Energy Agreement must take place in time for the assessment of the application.	Party/parties referred to in Article 3(5)(c)	0.5
			In the case of parties referred to in Article 3(5)(c, d, g and h): The permit holder must demonstrate that these parties have joined a multi-stakeholder initiative comparable to the IRBC Renewable Energy Agreement no later than one year after the permit has become irrevocable.	Party/parties referred to in Article 3(5)(d)	0.5
				Party/parties referred to in Article 3(5)(e)	1.5
			Party/parties referred to in Article 3(5)(f)	0.5	
			Party/parties referred to in Article 3(5)(g)	0.5	
			Party/parties referred to in Article 3(5)(h)	0.5	
			Party/parties referred to in Article 3(5)(i)	0.5	

⁶ Defined in Section 5.4 of the explanatory notes



Table 4 (continued)

Criterion: Compliance with the principles of the International Responsible Business Conduct (IRBC) Agreement for the Renewable Energy Sector (Section 25b(3) of the Act and Article 7(2) of the Ministerial Order)				
Maximum number points: 40				
	Qualitative criteria	Assessment measure		Pts.
		Having a due diligence policy based on the qualitative criteria referred to in section 1.5 of this table, without demonstrable participation in the IRBC Agreement for the Renewable Energy Sector or another multi-stakeholder initiative comparable to it. The applicant can demonstrate this by providing insight into this due diligence policy.	Party/parties referred to in Article 3(5)(a)	0.5
			Party/parties referred to in Article 3(5)(b)	0.5
			Party/parties referred to in Article 3(5)(c)	0.3
			Party/parties referred to in Article 3(5)(d)	0.2
			Party/parties referred to in Article 3(5)(e)	0.5
			Party/parties referred to in Article 3(5)(f)	0.2
			Party/parties referred to in Article 3(5)(g)	0.3
			Party/parties referred to in Article 3(5)(h)	0.2
			Party/parties referred to in Article 3(5)(i)	0.3
	<p>1.6 Providing access to recovery and redress. Parties must be able to demonstrate that:</p> <ul style="list-style-type: none"> They either have their own redress mechanisms or they participate in existing collective complaints mechanisms or are in the process of establishing such a mechanism. <p>When participating in the IRBC Renewable Energy Agreement, the permit holder achieves at least an orange score at the time the permit becomes irrevocable. If it is not a participant in the IRBC Renewable Energy Agreement, it demonstrates a commitment through an alternative best-effort obligation, comparable to the IRBC Renewable Energy Agreement orange score.⁷ The permit holder will report on this annually until the wind farm is ready to supply full power for the test phase.</p> <p>The maximum number of points that can be scored is 7.</p>	<p>Proof of participation in the IRBC Agreement for the Renewable Energy Sector.</p> <p>In the case of parties referred to in Article 3(5)(a, b, e, f and i): Applications to join the IRBC Renewable Energy Agreement must be submitted no later than 29 February 2024.</p> <p>In the case of parties referred to in Article 3(5)(c, d, g and h): The permit holder will demonstrate, no later than one year after the permit becomes irrevocable, that these parties have joined the IRBC Renewable Energy Agreement.</p>	<p>Party/parties referred to in Article 3(5)(a)</p> <p>Party/parties referred to in Article 3(5)(b)</p> <p>Party/parties referred to in Article 3(5)(c)</p> <p>Party/parties referred to in Article 3(5)(d)</p> <p>Party/parties referred to in Article 3(5)(e)</p> <p>Party/parties referred to in Article 3(5)(f)</p> <p>Party/parties referred to in Article 3(5)(g)</p> <p>Party/parties referred to in Article 3(5)(h)</p> <p>Party/parties referred to in Article 3(5)(i)</p>	<p>1.5</p> <p>1</p> <p>0.5</p> <p>0.5</p> <p>1.5</p> <p>0.5</p> <p>0.5</p> <p>0.5</p> <p>0.5</p>

⁷ Defined in Section 5.4 of the explanatory notes



Table 4 (continued)

Criterion: Compliance with the principles of the International Responsible Business Conduct (IRBC) Agreement for the Renewable Energy Sector (Section 25b(3) of the Act and Article 7(2) of the Ministerial Order)			
Maximum number points: 40			
	Qualitative criteria	Assessment measure	Pts.
		Having a due diligence policy based on the qualitative criteria in section 1.6 of this table. This can be demonstrated by participation in another multi-stakeholder initiative comparable to the IRBC Agreement for the Renewable Energy Sector.	Party/parties referred to in Article 3(5)(a) 1.5
		In the case of parties referred to in Article 3(5)(a, b, e, f and i): Joining another multi-stakeholder initiative comparable to the IRBC Renewable Energy Agreement must take place in time for the assessment of the application.	Party/parties referred to in Article 3(5)(b) 1
			Party/parties referred to in Article 3(5)(c) 0.5
		In the case of parties referred to in Article 3(5)(c, d, g and h): The permit holder must demonstrate that these parties have joined a multi-stakeholder initiative comparable to the IRBC Renewable Energy Agreement no later than one year after the permit has become irrevocable.	Party/parties referred to in Article 3(5)(d) 0.5
			Party/parties referred to in Article 3(5)(e) 1.5
			Party/parties referred to in Article 3(5)(f) 0.5
			Party/parties referred to in Article 3(5)(g) 0.5
			Party/parties referred to in Article 3(5)(h) 0.5
			Party/parties referred to in Article 3(5)(i) 0.5
		Having a due diligence policy based on the qualitative criteria referred to in section 1.6 of this table, without demonstrable participation in the IRBC Agreement for the Renewable Energy Sector or another multi-stakeholder initiative comparable to it.	Party/parties referred to in Article 3(5)(a) 0.5
		The applicant can demonstrate this by providing insight into this due diligence policy.	Party/parties referred to in Article 3(5)(b) 0.5
			Party/parties referred to in Article 3(5)(c) 0.3
			Party/parties referred to in Article 3(5)(d) 0.2
			Party/parties referred to in Article 3(5)(e) 0.5
			Party/parties referred to in Article 3(5)(f) 0.2
			Party/parties referred to in Article 3(5)(g) 0.3
			Party/parties referred to in Article 3(5)(h) 0.2
			Party/parties referred to in Article 3(5)(i) 0.3



Table 5

Criterion: The degree of insight into raw material consumption, environmental impact and value retention in the design, construction, operation and decommissioning of the wind farm (Section 25b(3) of the Act and Article 7(2) of the Ministerial Order) Maximum number of points: 40				
	Qualitative criteria	Assessment measure	Pts.	
1	Circular design of the wind farm	1.1 Circular strategies In the application, the applicant substantiates how a circular design is used for the following circular strategies: (1) reduction in the use of raw materials, (2) substitution of raw materials and components, (3) high-quality processing of raw materials and (4) extending the lifespan of the components of the wind farm ⁸ , based on a recognised standard, such as an ISO standard or circular design methodology. In each substantiated strategy, the applicant specifically addresses the following components of the wind farm: 1-3. wind turbines comprising: 1. a tower (mast); 2. nacelle; and 3. rotor blades and any measuring equipment; 4. wind turbine foundation (including erosion protection if applicable); 5. any transition piece(s); and 6. cabling that connects the individual wind turbines and connects to a connection point (inter-array cables).	The applicant does not discuss a circular strategy or strategies in the substantiation	0
		The applicant discusses 1 circular strategy in the substantiation	1	
		The applicant discusses 2 circular strategies in the substantiation	2	
		The applicant discusses 3 circular strategies in the substantiation	3	
		The applicant discusses 4 circular strategies in the substantiation	4	
		1.2 Design phase For the design phase, no later than 18 months after the permit has become irrevocable, the applicant indicates how many variables and methodologies the party (as permit holder) will provide insight into, using the Circular Manufacturing Industry's Circular Product Passport Guide ⁹ to do this. The applicant will specifically discuss the following components of the wind farm and substantiate why the above objectives are ambitious and technically feasible: 1-3. wind turbines comprising: 1. a tower (mast); 2. nacelle; and 3. rotor blades and any measuring equipment; 4. wind turbine foundation (including erosion protection if applicable); 5. any transition piece(s); and 6. cabling that connects the individual wind turbines and connects to a connection point (inter-array cables).	Less than 1 variable and/or methodology	0
		At least 1 variable and/or method but less than 44 variables and methodologies	1	
		At least 44 variables and/or methodologies but less than 88	2	
		At least 88 variables and/or methodologies but less than 132	3	
		At least 132 variables and/or methodologies but less than 176	4	
		At least 176 variables and/or methodologies but less than 220	5	
		At least 220 or more variables and/or methodologies	6	
		1.3 Operational phase For the operational phase, no later than 18 months after the permit becomes irrevocable and using the Circular Manufacturing Industry's Circular Product Passport Guide ⁹ , the applicant indicates how many variables and methodologies the party (as permit holder) will provide insight into. The applicant specifically discusses the following components of the wind farm and substantiates why the above objectives are ambitious and technically feasible: 1-3. wind turbines comprising: 1. a tower (mast); 2. nacelle; and 3. rotor blades and any measuring equipment; 4. wind turbine foundation (including erosion protection if applicable); 5. any transition piece(s); and 6. cabling that connects the individual wind turbines and connects to a connection point (inter-array cables).	Less than 1 variable and/or methodology	0
		At least 1 variable and/or method but less than 44 variables and methodologies	1	
		At least 44 variables and/or methodologies but less than 88	2	
		At least 88 variables and/or methodologies but less than 132	3	
		At least 132 variables and/or methodologies but less than 176	4	
		At least 176 variables and/or methodologies but less than 220	5	
		At least 220 or more variables and/or methodologies	6	

⁸ As defined in the National Circular Economy Programme 2023- 2030 (NCPE).

⁹ [UPCM-Guideline-Materialspassport-V2.o.pdf \(circularmaakindustrie.nl\)](#) | [UPCM-Guideline-Materialspassport-V2.o.pdf \(circularmaakindustrie.nl\)](#)



Table 5 (continued)

Criterion: The degree of insight into raw material consumption, environmental impact and value retention in the design, construction, operation and decommissioning of the wind farm (Section 25b(3) of the Act and Article 7(2) of the Ministerial Order) Maximum number of points: 40				
	Qualitative criteria	Assessment measure	Pts.	
	<p>1.4 Smart maintenance In the application, the applicant provides insight into which technology/technologies is/are being used for (smart) maintenance and the purpose the technology/technologies is/are being used.</p> <p>The applicant specifically addresses the following components of the wind farm:</p> <ol style="list-style-type: none"> 1-3. wind turbines comprising: 1. a tower (mast); 2. nacelle; and 3. rotor blades and any measuring equipment; 4. wind turbine foundation (including erosion protection if applicable); 5. any transition piece(s); and 6. cabling that connects the individual wind turbines and connects to a connection point (inter-array cables). 	The applicant does not provide any insight into the qualitative criteria referred to in section 1.4 of this table	0	
		The applicant does provide insight into the qualitative criteria referred to in section 1.4 of this table	1	
	<p>1.5 Decommissioning (removal) phase¹⁰ No later than 18 months after the permit has become irrevocable, using the Circular Manufacturing Industry's Circular Product Passport Guide¹¹, the applicant indicates how many variables and methodologies the party, as permit holder, will provide insight into regarding decommissioning of the wind farm.</p> <p>The applicant specifically discusses the following components of the wind farm and substantiates why the objectives are ambitious and technically feasible:</p> <ol style="list-style-type: none"> 1-3. wind turbines comprising: 1. a tower (mast); 2. nacelle; and 3. rotor blades and any measuring equipment; 4. wind turbine foundation (including erosion protection if applicable); 5. any transition piece(s); and 6. cabling that connects the individual wind turbines and connects to a connection point (inter-array cables). 	Less than 1 variable and/or methodology	0	
		At least 1 variable and/or methodology but less than 44 variables and/or methodologies	1	
		At least 44 variables and/or methodologies but less than 88	2	
		At least 88 variables and/or methodologies but less than 132	3	
		At least 132 variables and/or methodologies but less than 176	4	
		At least 176 variables and/or methodologies but less than 220	5	
	2	<p>2.1.1 The application provides insight into the critical and strategic raw materials contained in the various components of the wind farm (as specified below in section 2.2 of this table) based on the definitions in the EU List of Critical and Strategic Raw Materials 2023¹² (A1.3 of the Circular Manufacturing Industry's Circular Product Passport Guide¹³).</p>	The applicant does not provide any insight into the qualitative criteria referred to under 2.1.1	0
			The applicant does provide insight into the qualitative criteria referred to under 2.1.1	2
		<p>2.1.2 No later than 18 months after the permit has become irrevocable, the permit holder provides insight into the quantity (in grams) of critical and strategic raw materials used for the various components of the wind farm (as referred to under section 2.2) and the percentage of the component based on of the definitions in the EU List of Critical and Strategic Raw Materials 2023¹⁴ and the Circular Manufacturing Industry's Circular Product Passport Guide.¹⁵</p>	The permit holder will not provide insight into the qualitative criteria referred to under 2.1.2 within 18 months of the permit becoming irrevocable	0
			The permit holder will provide insight into the qualitative criteria referred to under 2.1.2 within 18 months of the permit becoming irrevocable	2
<p>2.2 In the application, the applicant substantiates how a circular design is used for the following circular strategies: (1) reduction in the use of raw materials, (2) substitution of raw materials and components, (3) high-quality processing of raw materials and (4) extending the lifespan of the wind farm components in which critical and strategic raw materials are used¹⁶ based on a recognised standard, such as an ISO standard or circular design methodology.</p> <p>In each substantiated strategy, the applicant specifically addresses the following components of the wind farm:</p> <ol style="list-style-type: none"> 1-3. wind turbines comprising: 1. a tower (mast); 2. nacelle; and 3. rotor blades and any measuring equipment; 4. wind turbine foundation (including erosion protection if applicable); 		The applicant does not discuss a circular strategy in the substantiation	0	
		The applicant discusses 1 circular strategy in the substantiation	1	
		The applicant discusses 2 circular strategies in the substantiation	2	
		The applicant discusses 3 circular strategies in the substantiation	3	
		The applicant discusses 4 circular strategies in the substantiation	4	

¹⁰ In accordance with the description of decommissioning of the wind farm (removal) referred to in Section 4.5 of the IJWVFS Alpha Wind Farm Site Decision.

¹¹ [UPCM-Guideline-Materialspassport-V2.0.pdf \(circularmaakindustrie.nl\)](#) UPCM-Guideline-Materialspassport-V2.0.pdf (circularmaakindustrie.nl).

¹² [RMIS - Raw Materials Information System \(europa.eu\)](#).

¹³ [UPCM-Guideline-Materialspassport-V2.0.pdf \(circularmaakindustrie.nl\)](#) UPCM-Guideline-Materialspassport-V2.0.pdf (circularmaakindustrie.nl).

¹⁴ [EU list for critical and strategic raw material in 2023.](#)

¹⁵ [UPCM-Guideline-Materialspassport-V2.0.pdf \(circularmaakindustrie.nl\)](#).

¹⁶ As defined in the National Circular Economy Programme 2023- 2030 (NCPE).



Table 5 (continued)

Criterion: The degree of insight into raw material consumption, environmental impact and value retention in the design, construction, operation and decommissioning of the wind farm (Section 25b(3) of the Act and Article 7(2) of the Ministerial Order) Maximum number of points: 40				
	Qualitative criteria	Assessment measure	Pts.	
	5. any transition piece(s); and 6. cabling that connect the individual wind turbines and connects to a connection point (inter-array cables).			
	2.3 No later than 18 months after the permit becomes irrevocable, the permit holder provides insight into the amount of green steel ¹⁷ and recycled steel used (in kg and as a percentage of the wind farm's components as referred to under section 2.2 of this table), based on the Greenhouse Gas Protocol ¹⁸ (or a similar standard) and the Circular Manufacturing Industry's Circular Product Passport Guide. ¹⁹ The applicant also substantiates why the amount used is ambitious compared to the industry standard and how it is achievable.	The applicant will not provide any insight into the qualitative criteria referred to under 2.3 within 18 months of the permit becoming irrevocable	0	
		The applicant will provide insight into the qualitative criteria referred to under 2.3 within 18 months of the permit becoming irrevocable.	2	
	2.4 The permit holder provides insight, no later than 18 months after the permit has become irrevocable, into the quantity of balsa wood used in kg and as a percentage of the components of the wind farm, stating the continent of origin on the basis of the Circular Manufacturing Industry's Circular Product Passport Guide. ²⁰	The applicant will not provide any insight into the qualitative criteria referred to under 2.4 within 18 months of the permit becoming irrevocable	0	
		The applicant will provide insight into the qualitative criteria referred to under 2.4 within one year of the permit becoming irrevocable.	2	
	2.5 No later than 18 months after the permit becomes irrevocable, the permit holder provides insight into the quantity of alternative materials used, for example organic/biological origin, in kg and as a percentage of the wind farm's components (as referred to under section 2.2 of this table) based on the Circular Manufacturing Industry's Circular Product Passport Guide. ²¹	The applicant does not provide any insight into the qualitative criteria referred to under 2.5 within 18 months of the permit becoming irrevocable	0	
		The applicant does provide insight into the qualitative criteria referred to under 2.5 within 18 months of the permit becoming irrevocable.	2	
3	Greenhouse gas footprint	3.1 No later than 18 months after the permit has become irrevocable, the permit holder provides insight into the greenhouse gas emissions/footprint, based on the Greenhouse Gas Protocol ²² or a similar standard, for the following: <ul style="list-style-type: none"> • Production of wind turbines comprising of a tower (mast), nacelle, rotor blades and any measuring equipment; wind turbine foundations (including erosion protection if applicable); transition pieces; and cabling that connects the individual wind turbines and connects to a connection point (inter-array cables). • Construction phase²³; • Operation and maintenance phase; and • Decommission phase, including the dismantling of the wind farm²⁴. <p>The permit holder will explain the effect of the measures taken under 1.1 and 2.2 of this table on the level of greenhouse gas emissions.</p>	The applicant does not provide any insight into the qualitative criteria referred to under 3 within 18 months of the permit becoming irrevocable	0
		The applicant does provide insight into the qualitative criteria referred to under 3 within 18 months of the permit becoming irrevocable.	1	
4	Knowledge sharing	4.1 No later than 18 months after the permit has become irrevocable, the permit holder will provide the information agreed under sections 1 'Circular design of the wind farm', 2 'Use of alternative (circular) materials and critical and strategic raw materials' and 3 'Greenhouse gas footprint' of this table. <p>The permit holder will make the information promised under sections 1 to 3 of this table fully public no later than 18 months after the permit has become irrevocable.</p>	Permit holder makes not, appearance 18 months after the permit has become irrevocable, the promised information below components 1 to 3 completely public with the exception of company confidential information.	0
		Permit holder makes well, appearance 18 months after the permit has become irrevocable, the promised information below components 1 to 3 completely public with the exception of company confidential information.	2	

¹⁷ Green steel is defined as steel produced with reduced CO2 emissions.

¹⁸ <https://ghgprotocol.org>.

¹⁹ <https://www.circularmaakindustrie.nl/wp-content/uploads/2022/03/UPCM-Guideline-Materialspassport-V2.0.pdf>

²⁰ <https://www.circularmaakindustrie.nl/wp-content/uploads/2022/03/UPCM-Guideline-Materialspassport-V2.0.pdf>

²¹ <https://www.circularmaakindustrie.nl/wp-content/uploads/2022/03/UPCM-Guideline-Materialspassport-V2.0.pdf>

²² <https://ghgprotocol.org>.

²³ In accordance with the description of construction and operation referred to in Section 4.4 of the draft IJmuiden Ver Alpha Wind Farm Site Description.

²⁴ In accordance with the description of the decommissioning/removal of the wind farm referred to in Section 4 of the draft IJmuiden Ver Alpha Wind Farm Site Decision. Decommissioning is defined as the dismantling and removal of all parts of the wind farm at the end of its useful life.



Table 6

Criterion: Contribution of the wind farm to the ecosystem of the Dutch North Sea (Section 25b(3) of the Act and Article 7(2) of the Ministerial Order) Maximum number of points: 180				
		Qualitative criteria	Quantitative assessment	Pts.
o	General Requirements Where this table refers to substantiation, research and monitoring, knowledge, data and information, or conclusion, evaluation and discussion, the stated conditions must be met.	<p><i>I. Substantiation:</i> The measure must be substantiated and meet at least the following requirements: A) the effectiveness of the measure in relation to the prescribed goal. Firstly, if possible, it must be scientifically substantiated how the measure contributes to the objective and the target species as described in the environmental impact assessment (EIA) report for the IJmuiden Ver Alpha Wind Farm Site Decision. Secondly, it must be substantiated how the measure contributes to the (future) development of offshore wind energy within the ecological frameworks, also in relation to current Dutch and international scientific research programmes; B) The efficiency and effectiveness of the measure is substantiated on the basis of four components: First, the design and intended result of the measure are independently verifiable (for example by a third party), repeatable, specific, measurable and time-bound. Second, the design of the measure is based on current scientific and technical knowledge and the best available, substantiated and valid techniques are used. Third, it has been made plausible that the measure can be successfully applied in an operational environment. Fourth, it is explained how the measure is implemented and what the connection is with other activities; C) The way in which statistically sound knowledge is collected about the effectiveness and additional impact of the measure has been explained; and D) The measures must have started within 60 months after the permit becomes irrevocable in order to gain insight into the effectiveness or results of the measure as quickly as possible.</p> <p><i>II. Research and monitoring:</i> The measure must be investigated and monitored, meeting at least the following: A) Monitoring/research plan, including a T-0 measurement²⁵ (if possible and effective) and a regular and representative series of measurements for at least 5 consecutive years after implementation of the measure; B) Substantiation of the scale, feasibility, effectiveness and maintenance of the measure; C) Substantiation of the time frame that is in line with the underlying objective of the measure; D) Connect to the Monitoring-Research-Nature Enhancement-Species Protection (MONS) programme and the Offshore Wind Ecological Programme (Wozep) and other (international) research programmes relevant to Dutch North Sea nature; E) Align with the working methods of Wozep; and F) Quality assurance by (an) independent expert(s).</p> <p><i>III. Knowledge, data and information:</i> All collected and acquired knowledge and data must be made publicly available digitally, whereby at least the following elements are met: A) The formats used for datasheets and the layout of reports must be in accordance with the formats and layout used by Wozep²⁶ ; B) The approach to knowledge dissemination must lead to good accessibility of data and information, and it must be communicated and offered in a user-friendly, up-to-date and active manner; C) From the start of the measure, interim conclusions of the measure will be published at least every two years; D) Substantiation of coordination with related (ongoing) programmes and projects, including in accordance with the obligation to cooperate in Regulation 5 of the Alpha Wind Farm Site Decision; E) Substantiation of active connection with government programme Wozep; and F) If relevant, increasing awareness of knowledge and research among parties involved in this sector.</p> <p><i>IV. Conclusion, evaluation and discussion:</i> A conclusion, evaluation and discussion of the measure is produced on the basis of findings from the research, existing (scientific) knowledge and knowledge exchange with active programmes. It is important that it is substantiated how the results of the measures lead to a conclusion and discussion with regard to the application of the measure, possible optimisation, dependencies of relevant parameters and uncertainties and possibly relevant follow-up research.</p>	-	-

²⁵ T0: phase for the implementation of the measure and/or research.

²⁶ [General reports - North Sea Desk](#).



Table 6 (continued)

Criterion: Contribution of the wind farm to the ecosystem of the Dutch North Sea (Section 25b(3) of the Act and Article 7(2) of the Ministerial Order) Maximum number of points: 180															
	Qualitative criteria	Quantitative assessment	Pts.												
1	<p>Implement measures in the IJmuiden Ver Alpha Site and determine their effectiveness to reduce negative ecological impacts on locally occurring birds and marine mammals.</p> <p>1.1 Goal: Reduce collision casualties in the operational phase of the wind farm relative to the Environmental Impact Assessment (EIA) for the IJmuiden Ver Alpha Wind Farm Site Decision.²⁷</p> <p>Target species: Bird species that have been designated or may be additionally designated under the Birds Directive in the Natura 2000 Brown Bank area²⁸ and that are sensitive to collisions. These are: the little gull, northern gannet, great black-backed gull, kittiwake, lesser black-backed gull and European herring gull.</p> <p>Measure: Choice of turbine design using one or more of the following three turbine design scenarios:</p> <table border="1" data-bbox="352 640 959 913"> <thead> <tr> <th>Turbine-design</th> <th>Installed capacity per turbine (Wind Farm Site Decision definition)</th> <th>Tip lowest level</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>≤ 17 MW</td> <td>Equal to or higher than 35 m</td> </tr> <tr> <td>2</td> <td>> 17 and ≤ 19 MW</td> <td>Equal to or higher than 30 m</td> </tr> <tr> <td>3</td> <td>> 19 MW</td> <td>Equal to or higher than 25 m</td> </tr> </tbody> </table>	Turbine-design	Installed capacity per turbine (Wind Farm Site Decision definition)	Tip lowest level	1	≤ 17 MW	Equal to or higher than 35 m	2	> 17 and ≤ 19 MW	Equal to or higher than 30 m	3	> 19 MW	Equal to or higher than 25 m	The turbines do not comply with the proposed turbine design scenarios	0
		Turbine-design	Installed capacity per turbine (Wind Farm Site Decision definition)	Tip lowest level											
		1	≤ 17 MW	Equal to or higher than 35 m											
2	> 17 and ≤ 19 MW	Equal to or higher than 30 m													
3	> 19 MW	Equal to or higher than 25 m													
The turbines comply with the proposed turbine design scenarios	20														
	<p>The measure must meet the conditions under Section 0 (general requirements) of this table for: I. substantiation; II. research and monitoring; III. knowledge, data and information; and IV. conclusion, evaluation and discussion.</p> <p>In addition, the following conditions must be met: A) The manner in which collision victims are monitored and studied must be substantiated; and B) The manner in which and the extent to which a contribution is made to knowledge about the flight altitude and avoidance behavior of the target species must be substantiated. C) Coordination with Maritime Information Service Point (MIVSP) with the aim of ensuring that research and monitoring of the measure by the submitter takes place effectively and in a complementary manner to sensors already planned by MIVSP.</p>														
	<p>1.2 Goal: Reducing habitat loss compared to the EIA for the IJmuiden Ver Alpha Wind Farm Site Decision.²⁹</p> <p>Target species: Bird species that have been designated or may be additionally designated in the Natura 2000 Brown Bank area that are sensitive to habitat loss. These are the guillemot, razor bill, northern fulmar and northern gannet.</p> <p>Measure: Choice of wind farm design and/or measure(s) substantiating how this design contributes to reducing habitat loss and how the effectiveness will be monitored to quantify the effect.</p> <p>The measure must meet the conditions under Section 0 (general requirements) for: I. substantiation; II. research and monitoring; III. knowledge, data and information; and IV. conclusion, evaluation and discussion.</p> <p>In addition, the following conditions must be met: A) A qualitative and/or quantitative substantiation of the contribution of the measure to the expected habitat loss based on, if possible, scientific research; B) A description and substantiation of how habitat loss and the effectiveness of the measure are monitored and how this will lead to a measurable result of the measure expressed in number of bird victims;</p>	No annual expected reduction in bird victims due to habitat loss of each target species mentioned during the entire lifespan of the wind farm	0												
		An annual expected reduction in bird victims due to habitat loss of each target species mentioned during the entire lifespan of the wind farm	16												

²⁷ See Chapter 6 and Appendix 4 of the EIA for the IJmuiden Ver Alpha Wind Farm Site Decision.

²⁸ <https://www.natura2000.nl/areas/noordzee/Bruine-bank>.

²⁹ See Chapter 6 and Appendix 4 of the EIA for the IJmuiden Ver Alpha Wind Farm Site Decision.



Table 6 (continued)

Criterion: Contribution of the wind farm to the ecosystem of the Dutch North Sea (Section 25b(3) of the Act and Article 7(2) of the Ministerial Order) Maximum number of points: 180			
	Qualitative criteria	Quantitative assessment	Pts.
	<p>C) How the measure, the research and monitoring contribute to knowledge about the flight behavior of the target species in and around a wind farm; and</p> <p>D) Coordination with Maritime Information Service Point (MIVSP) with the aim of ensuring that research and monitoring of the measure by the submitter takes place effectively and in a complementary manner to sensors already planned by MIVSP.</p>		
	<p>1.3 Goal: To contribute to the accessibility of the Natura 2000 Brown Bank area for the target species.</p> <p>Target species: Bird species designated in the Natura 2000 Brown Bank area that are sensitive to barrier effect.</p> <p>Measure: Choice of a wind farm design that substantiates how the migration routes of the target species are taken into account and how it contribute to the accessibility of the Brown Bank in the operational phase.</p> <p>The measure must meet the conditions under Section 0 (general requirements) for: I. substantiation; II. research and monitoring; III. knowledge, data and information; and IV. conclusion, evaluation and discussion.</p> <p>In addition, the following conditions must be met:</p> <p>A) A qualitative and/or quantitative substantiation of the design of the measures based on, if possible, scientific research;</p> <p>B) A description and substantiation of how the accessibility of the Brown Bank is achieved and how the effectiveness of the measure will be monitored and studied;</p> <p>C) A description and substantiation of how the measure and monitoring contributes to knowledge about the flying and swimming behavior of the target species in and all around a wind farm in the phase after the permit is issued, in the construction phase and in the operational phase; and</p> <p>D) coordination with Maritime Information Service Point (MIVSP) with the aim of ensuring that research and monitoring of the measure by the submitter takes place effectively and in a complementary manner to sensors already planned by MIVSP</p>	<p>A wind farm design that does not take into account or contribute to the accessibility of the Natura 2000 Brown Bank area for the target species</p>	0
		<p>A wind farm design that takes into account or contributes to the accessibility of the Natura 2000 Brown Bank area for the target species</p>	12
	<p>1.4 Goal: To reduce the attractive effect on birds of light(s) on wind turbines during the construction and operation phase.</p> <p>Target species: Bird species that have been designated or may be additionally designated become in the Brown Bank Natura 2000 area and migratory bird species.</p> <p>Measure: Relative reduction of average light intensity (compared to the current state of technology) of aeronautical obstacle lights on wind turbines by using the Aircraft Detection Light System (ADLS) within the framework set in Regulation 4 of the IJmuiden Ver Alpha Wind Farm Site Decision.</p> <p>The measure must meet the conditions under Section 0 (general requirements) for: I. substantiation; II. research and monitoring; III. knowledge, data and information; and IV. conclusion, evaluation and discussion.</p> <p>Criterion: In addition, the following condition must be met:</p> <p>A) coordination with Maritime Information Service Point (MIVSP) with the aim of ensuring that research and monitoring of the measure by the submitter takes place effectively and in a complementary manner to sensors already planned by MIVSP.</p>	<p>Does not use ADLS on wind turbines within the whole wind farm throughout the entire lifespan of the wind farm</p>	0
		<p>Does not use ADLS on wind turbines within the whole wind farm throughout the entire lifespan of the wind farm</p>	12
	<p>1.5 Goal: Reduce collision victims in the operation phase of the wind farm compared to the EIA for the IJmuiden Ver Alpha Wind Farm Site Decision.³⁰</p> <p>Target species: Bird species that have been designated or may be additionally designated become in the Brown Bank Natura 2000 area and that are sensitive to collisions. This concerns: the little gull, gannet, great black-backed gull, kittiwake, lesser black-backed gull and herring gull.</p> <p>Measure: Implement a pilot to investigate measures to increase the visibility of rotor blades for target species if and as soon as legally permitted.</p>	<p>Not conducting a pilot to investigate a measure to increase visibility of the rotor blades.</p>	0
		<p>Carrying out a pilot to investigate a measure to increase visibility of the rotor blades on at least 1 (one) and less than 3 (three) turbines.</p>	4

³⁰ See Chapter 6 and Appendix 4 of the EIA for the IJmuiden Ver Alpha Wind Farm Site Decision.



Table 6 (continued)

		Carrying out a pilot to investigate a measure to increase visibility of the rotor blades on at least 3 (three) and less than 6 (six) turbines.	8
		Carrying out a pilot to investigate a measure to increase visibility of the rotor blades on at least 6 (six) and less than 9 (nine) turbines.	12



Criterion: Contribution of the wind farm to the ecosystem of the Dutch North Sea
 (Section 25b(3) of the Act and Article 7(2) of the Ministerial Order)
 Maximum number of points: 180

	Qualitative criteria	Quantitative assessment	Pts.
	<p>The measure must meet the conditions under Section 0 (general requirements) for: I. substantiation; II. research and monitoring; III. knowledge, data and information; and IV. conclusion, evaluation and discussion.</p> <p>In addition, the following condition must be met: when reserving financial resources, this must be substantiated on the basis of a reasonably implementable plan that addresses at least the (cost) effectiveness and technical feasibility.</p> <p>In addition, the following conditions must be met:</p> <p>A) the ecological effectiveness of this measure must be further investigated in this pilot. The hypothesis that the measure may be effective must be substantiated in the application;</p> <p>B) for each measure to increase the visibility of rotor blades there must be at least a prototype in an operational environment at the time of the pilot (TRL7); and</p> <p>C) coordination with Maritime Information Service Point (MIVSP) with the aim of ensuring that research and monitoring of the measure by the submitter takes place effectively and in a complementary manner to sensors already planned by MIVSP.</p>	Carrying out a pilot to investigate a measure to increase visibility of the rotor blades on at least 9 (nine) turbines.	16
	<p>1.6 Goal: To reduce collision victims in the operational phase of the wind farm compared to the EIA for the IJmuiden Ver Alpha Wind Farm Site Decision.³¹</p> <p>Target species: Bird species that have been designated or may be additionally designated in the Brown Bank Natura 2000 area and that are sensitive to collisions. This concerns: the little gull, northern gannet, great black-backed gull, kittiwake, lesser black-backed gull and European herring gull.</p> <p>Measure: Implementing effective, proven shutdown on demand/local curtailment in the wind farm of a representative number of wind turbines in the presence of the target species.</p> <p>The party responsible for the balance sheet bears the risks of the measure. These risks are not taken into account in the assessment.</p> <p>The measure must meet the conditions under Section 0 (general requirements) for: I. substantiation; II. research and monitoring; III. knowledge, data and information; and IV. conclusion, evaluation and discussion.</p> <p>In addition, the following conditions must be met:</p> <p>A) The choice of location and number of turbines that is effective to achieve the goal is explained and a substantiation is given on the representative number;</p> <p>B) The operation (and possible validation) of the technology used for recognising bird species is explained;</p> <p>C) The type of camera/radar/sensor used is explained;</p> <p>D) How the shutdown of turbines (how quickly, how often, how long and expected effectiveness) is operationalised based on at least the flight altitude and flight speed of target species is explained; and</p> <p>E) Coordination with Maritime Information Service Point (MIVSP) with the aim of ensuring that research and monitoring of the measure by the submitter takes place effectively and in a complementary manner to sensors already planned by MIVSP.</p>	<p>Failure to implement shutdown on demand/local curtailment effectively on a representative number of wind turbines in the presence of the target species</p> <p>Implement shutdown on demand/local curtailment effectively on a representative number of wind turbines in the presence of the target species</p>	<p>0</p> <p>16</p>
	<p>1.7 Goal: To reduce harbour porpoise disturbance days during the construction phase of the foundations of the wind farm compared to the EIA for the IJmuiden Ver Alpha Wind Farm Site Decision.³²</p> <p>Target species: Harbour porpoises.</p>	<p>Harbour porpoise disturbance days more than 110,000*overplanting factor</p> <p>Harbour porpoise disturbance days equal to or less than 110,000*overplanting factor and more than 100,000*overplanting factor</p>	<p>0</p> <p>5</p>

³¹ See Chapter 6 and Appendix 4 of the EIA for the IJmuiden Ver Alpha Wind Farm Site Decision.

³² See Chapter 6 and Appendix 4 of the EIA for the IJmuiden Ver Alpha Wind Farm Site Decision.



Measure: Reducing harbour porpoise disturbance days³³ in the construction phase of the foundations to the requirements set in the IJmuiden Ver Alpha Wind Farm Site Decision. If the number harbour porpoise disturbance days due to a construction technique has not yet been measured empirically, the expected disturbance must be substantiated on the basis of current (scientific) knowledge.

The measure must meet the conditions under Section o (general requirements) for: I. substantiation; II. research and monitoring; III. knowledge, data and information; and IV. conclusion, evaluation and discussion.

The overplanting factor is defined as:

$$\frac{\text{number wind turbines in proposal} * \text{power per wind turbine}}{2000 \text{ MW}}$$

Harbour porpoise disturbance days equal to or less than 100,000*overplanting factor and more than 85,000*overplanting factor	10
Harbour porpoise disturbance days equal to or less than 85,000*overplanting factor and more than 77,000*overplanting factor	15
Harbour porpoise disturbance days equal to or less than 77,000*overplanting factor	20

³³ KEC 4.0 Cumulative effects underwater noise. [Marine mammals reports - North Sea Desk Section 7.8.2 'to limit underwater sound and Regulation 4 from the IJmuiden Ver Alpha Wind Farm Site Decision.](#)



Criterion: Contribution of the wind farm to the ecosystem of the Dutch North Sea
 (Section 25b(3) of the Act and Article 7(2) of the Ministerial Order)
 Maximum number of points: 180

	Qualitative criteria	Quantitative assessment	Pts.
	<p>In addition, the conditions must be met that insight is provided into the calculation of the number of harbour porpoise disturbance days and that this calculation can be followed and is reproducible. The assumptions are substantiated and are in accordance with assumptions as used in the EIA. The model used must also be substantiated.</p> <p>The calculation of the harbour porpoise disturbance days must be tested by an independent organisation with expertise in the field of underwater sound and porpoise disturbance days.</p>		
	<p>1.8 Goal: Reducing pressure factors during the operational phase.</p> <p>Target species: Harbour porpoises.</p> <p>Measure: Reducing the pressure factors in the operational phase due to disruption of harbour porpoises by reducing the impact of ships. This can be done by carrying out at least one of the following measures:</p> <p>a) Significantly reduce sailing speed. This difference should be compared to the conventional average sailing speed that is usual for the ship;</p> <p>b) Use considerable quieter ships. This difference should be compared to the average sound output/pressure of conventional ships used in the operational phase for the task in question;</p> <p>c) Optimise logistics planning so that the exposure of the target species to underwater noise is minimised.</p> <p>The measure must meet the conditions under Section o (general requirements) for: I. substantiation; II. research and monitoring; III. knowledge, data and information; and IV. conclusion, evaluation and discussion.</p> <p>The maximum number of points that can be achieve is 12.</p>	<p>No application of the measures</p> <p>Implement measure a</p> <p>Implement measure b</p> <p>Implement measure c</p>	<p>0</p> <p>4</p> <p>4</p> <p>4</p>
2	<p>2.1 Goal: To strengthen underwater nature in addition to the nature-inclusive building regulations and Section 7.8.8 'promotion of biodiversity' in the IJmuiden Ver Alpha Wind Farm Site Decision .</p> <p>Target species: Cod and Ross worm (<i>Sabellaria spinulosa</i>).</p> <p>Measure: Creating habitats for target species using foundations, erosion protection and any existing cable crossings by applying and comparing three different measures.</p> <p>The measure must meet the conditions under Section o (general requirements) with: I substantiation; II. research and monitoring; III. knowledge, data and information; and IV. conclusion, evaluation and discussion.</p> <p>In addition, the following conditions must be met:</p> <p>A) It is explained how the measures individually and in combination contribute to strengthening the target species;</p> <p>B) The balance between the three measures must be substantiated</p> <p>C) The manner in which the location-specific properties of the Wind Farm Site are taken into account must be substantiated; and</p> <p>D) It is substantiated how the effectiveness of the measures is studied during a representative number of years and how this contributes to knowledge development about the effects of introducing hard substrate on underwater nature.</p>	<p>No application of the measures or application on less than 25% of the turbines</p> <p>Apply the measures to equal to or more than 25% and less than 75% of the turbines. It is optional to include cable crossings in the total percentage and percentage for specific measures</p> <p>Apply the measures to at least 75% of the number of turbines. It is optional to include cable crossings in the total percentage and percentage for specific measures</p>	<p>0</p> <p>7</p> <p>15</p>



Criterion: Contribution of the wind farm to the ecosystem of the Dutch North Sea
 (Section 25b(3) of the Act and Article 7(2) of the Ministerial Order)
 Maximum number of points: 180

	Qualitative criteria	Quantitative assessment	Pts.
	<p>2.2 Goal: To contribute to nature reinforcement inside and outside wind farms.</p> <p>Measure: The permit holder makes a one-off financial contribution to the Ministry of Agriculture, Nature and Food Quality for the 'North Sea Nature Enhancement Programme'.³⁴ Payment is made to the Ministry of Economic Affairs and Climate Policy in the manner and term stated in the permit, namely: if the permit becomes irrevocable between 1 May and 31 December, payment is made on the following 1 February; if the permit becomes irrevocable between 1 January and 30 April: payment will be made on the following 1 June.</p>	<p>No financial contribution or less than € 10 million</p>	0
		Financial contribution of at least €10 million and less than € 20 million	6
		Financial contribution of at least €20 million	12
3	<p>Contribute to knowledge, research and innovation to reduce negative ecological impacts and enhance positive ecological effects in IJmuiden Ver Wind Farm Site Alpha and in future Dutch offshore wind farms.</p> <p>3.1 Goal: Contribute to knowledge about electromagnetic fields in infield cabling to prevent disruption.</p> <p>Target species: Cartilaginous fish, flatfish and harbour porpoises.</p> <p>Measure: Measuring electromagnetic fields at various configurations of infield cabling in the wind farm.</p> <p>The measure must meet the conditions under Section 0 (general requirements) with: I. substantiation; II. research and monitoring; III. knowledge, data and information; and IV. conclusion, evaluation and discussion.</p> <p>In addition, the following conditions must be met:</p> <p>A) It must be substantiated which variations and methods of cable configuration have been chosen in relation to the purpose. Among other things, the distance between the cables can be varied;</p> <p>B) It is explained why the size of the test locations was chosen and why they are large enough to conduct research into electromagnetic fields;</p> <p>C) It is explained how representative monitoring, with multi-year measurement series and different weather types and wind speeds, of electromagnetic fields is carried out and shared with different cable configurations;</p> <p>D) It is explained how the results will be made available for research and monitoring; and</p> <p>E) As a permit holder, the applicant gives unlimited access to the infield cabling to parties designated by the government for ecological monitoring and allows the necessary equipment to be installed in the park in accordance with Regulation 5(h) of the IJmuiden Ver Alpha Wind Farm Site Decision.</p>	No application of the measure	0
		Application of the measure	13
	<p>3.2 Goal: Reducing negative ecological effects and/or It strengthening positive ecological effects in IJmuiden Ver Wind Farm Site Alpha and in future Dutch offshore wind farms.</p> <p>Target species: Bird species that have been designated or may be additionally designated in the Natura 2000 Brown Bank area; and/or Nathusius' pipistrelle bats; and/or harbour porpoises.</p> <p>Measure: Contributing to the above-mentioned goal through an innovative measure(s) or research associated with the wind farm that has not yet been mentioned in the other criteria and does not undermine the set goals. This measure must be carried out in the wind farm (including the erosion-protected landfill and inter-array cabling) and be supplementary to the other criteria and the IJmuiden Ver Alpha Wind Farm Site Decision (within the frameworks laid down in Regulation 3 of the Wind Farm Site Decision).</p> <p>The measure must meet the conditions under Section 0 (general requirements) with: I. substantiation; II. research and monitoring; III. knowledge, data and information; and IV. conclusion, evaluation and discussion.</p> <p>In addition, the following conditions must be met:</p> <p>A) For each innovation, there must be at least a prototype in an operational</p>	No additional measures or research	0
		Measures or research for an amount of at least € 5 million and less than € 11 million	7
		Measures or research for an amount of at least € 11 million	15

³⁴ The North Sea Nature Enhancement Programme is currently under development. Before the publication of this regulation, the set-up, purpose, financing and organisation of this programme will be announced.



Criterion: Contribution of the wind farm to the ecosystem of the Dutch North Sea
(Section 25b(3) of the Act and Article 7(2) of the Ministerial Order)
Maximum number of points: 180

		Qualitative criteria	Quantitative assessment	Pts.
		environment (TRL7) in the form of a pilot at the time of demonstration; and B) Others innovations and solutions that cannot be accommodated at a TRL level must be sufficiently developed for application in an operational environment.		
4	Knowledge sharing	4.1 No later than 6 months after the permit has become irrevocable, the permit holder will publish a summary of the measures applied and the research (that will be) carried out in relation to Table 6.	The permit holder will not make public a summary of the measures applied and the investigation conducted for Table 6 within 6 months after the permit has become irrevocable.	0
			The permit holder will, no later than 6 months after the permit has become irrevocable, make public a summary of the measures applied and the investigation conducted for Table 6.	1



Explanatory Notes

1. Background and aim

The 2021-2025 Coalition Agreement 'Looking out for each other, looking ahead to the future' (Omzien naar elkaar, vooruitkijken naar de toekomst), published on 15 December 2021, includes a goal to reduce greenhouse gas emissions (CO₂) by 55% compared to 1990 levels and policy aimed for a 60% reduction by 2030, focusing on the deployment of additional offshore wind to achieve this goal. In February 2022, the Rutte IV Cabinet doubled the target for offshore wind in the Dutch North Sea to around 21 GW installed capacity by 2030, provided this is compatible with the ecological capacity of the North Sea and can be integrated into the energy system.⁷⁰ The Additional Offshore Wind Energy Roadmap 2030 was published on 10 June 2022.⁷¹ The amendment to the Dutch Climate Agreement came into effect on 22 July 2023 and the target of a 55% emission reduction in 2030 and climate neutrality in 2050 was laid down in this law. This amendment and the offshore wind goal is in line with the European Union's ambition to accelerate and increase production of energy from renewable sources. The European Climate Act⁷² includes a European goal for a 55% reduction (for each Member State), whereby further offshore wind is expected to be deployed to achieve that.

This Ministerial Order contains the regulations for granting the permit for IJmuiden Ver Wind Farm Site Alpha (IJVWFS Alpha), located in the IJmuiden Ver Wind Farm Zone (IJVWFZ). The Ministerial Order for granting the permit for IJVWFS Beta will be published simultaneously with this Ministerial Order. Combined, the two sites total 4 GW, making this the largest permit tender round for offshore wind in the Netherlands to date.

IJVWFS Alpha comprises the previously designated IJVWFS I and II, which have now been merged together (IJVWFS III and IV have also been merged to become IJVWFS Beta). The decision to merge the sites was due to economies of scale and synergy, the mutual dependencies between TenneT and the wind farm operator(s), international developments towards permitting wind farm sites larger than 1 GW, reducing pressure on the supply chain and reducing regulatory pressure for both applicants and the assessors of applications.

The Alpha and Beta sites in the IJVWFZ are the last wind farms under the Netherlands' original 'Offshore Wind Energy Roadmap 2030'.⁷³ The planned wind farms at IJVWFS Alpha and IJVWFS Beta build on previous tenders and permits for the construction and operation of offshore wind farms at 12 other sites: Borssele Wind Farm Sites I, II, III and IV, Borssele (innovation) Wind Farm Site V, Hollandse Kust (zuid) Wind Farm Sites I, II, III and IV, Hollandse Kust (noord) Wind Farm Site V and Hollandse Kust (west) Wind Farm Sites VI and VII. Once the permits for IJVWFS Alpha and IJVWFS Beta have been awarded, additional offshore wind farms will be opened to tender, including a further 2 GW in the IJVWFZ at IJVWFS Gamma.

The Offshore Wind Energy Act (Wet windenergie op zee, hereinafter referred to as 'the Act') is the legal framework underpinning the rollout of offshore wind in the Netherlands. The Act outlines four possible procedures to grant permits for the construction and operation of offshore wind farms, namely: a procedure with subsidies, a comparative test, a comparative test with a financial bid and, lastly, an auction procedure. This Ministerial Order uses the procedure of a comparative test with a financial bid, as announced in the Minister for Climate and Energy Policy's letter to the House of

⁷⁰ Parliamentary papers 32813 and 35788, no. 974.

⁷¹ Parliamentary piece 33561, no. 53

⁷² Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing a framework for achieving climate neutrality and change by Regulation (EC) no. 401/2009 and Regulation (EU) 2018/1999.

⁷³ Parliamentary piece 33561, no. 42.



Representatives on 4 November 2022.⁷⁴

Pursuant to Article 14a(3) of the Act, the Minister for Climate and Energy Policy examined market conditions and consulted with the Minister of Finance before choosing which procedure to apply. The comparative test with a financial bid is the most appropriate licensing procedure for this permit. This procedure aims to encourage parties to submit solution-oriented applications for social goals that contribute to the further growth of offshore wind energy. These scarce wind farm sites in the North Sea represent a significant market value as well as a social value. The addition of a financial offer aims to safeguard this value and ensure market competition.

Offshore wind energy technology is developing rapidly. The cost of an offshore wind farm varies greatly, depending on the choices a developer makes regarding turbine technology, foundation technology and the operational approach. In recent years, a substantial cost reduction for offshore wind power has been achieved. In addition, the more ambitious commitment to the energy transition from the private and public sectors has a positive impact on electricity demand trends, although it is important to ensure that developments in supply and demand remain sufficiently aligned. At the same time, market conditions have changed significantly recently. For example, electricity prices have risen, but they have also become more volatile. Scarcity and inflation are also leading to price increases in the supply chain.

2. Designations of offshore wind farm sites

Wind farm sites are only designated within a wind farm zone that has been designated in the North Sea Programme. The North Sea Programme is a policy plan established on the basis of the Water Act (Waterwet). The IJmuiden Ver Wind Farm Zone was designated in the North Sea Policy Document 2009 - 2015, among other things. This policy has continued within the frameworks of the North Sea Policy Document 2016 - 2021 and the North Sea Programme 2022 - 2027.⁷⁵ A Wind Farm Site Decision (WFSO) determines where and under what conditions a wind farm may be built and operated. TenneT has been designated the offshore grid operator and is therefore responsible for connecting the wind farms to the grid. TenneT's technical concept – in line with the Development Framework for Offshore Wind Energy⁴⁶ (hereinafter: 'Development Framework') – is based on substation platforms to which a maximum of 2 GW of wind power capacity can be connected.

Within the conditions of the WFSO, all wind turbines present are considered as part of the wind farm. Other types of power generation, such as offshore solar energy, and other activities, such as energy storage, do not come under the Act and are not regulated for in the WFSO or the related permit. Different permits are required for these activities, including a permit under the Water Act (from 1 January 2024, this will be under the Environment Act). In addition, other applicable regulations may apply, including the Electricity Grid Code and TenneT's model agreements (Realisation Agreement and a Connection and Transmission Agreement).

3. Applying for a permit

This Ministerial Order lays down further rules for granting a permit for the construction and operation of the wind farm at IJVVFS Alpha. These concern the application itself, the assessment of applications and the respective weighting of the ranking criteria that is required if two or more applications are eligible for a permit.

Under the Act, one permit per site is granted. Article 2(1) of this Ministerial Order specifies the period

⁷⁴ Parliamentary piece 35092, no. 33.

⁷⁵ [North Sea Policy Document 2016-2021](#); [North Sea Programme 2022-2027](#)



within which applications for the permit for IJWFS Alpha can be submitted. This period runs parallel to the permit application period for IJWFS Beta (Ministerial Order for granting the permit for IJmuiden Ver Wind Farm Site Beta).

Under Article 2(2) of this Ministerial Order, the number of applications that can be submitted per applicant is set at a maximum of one. Article 2(3) of this Ministerial Order states that affiliated legal entities are regarded as one applicant. Affiliated legal entities include all legal entities and companies owned by the group, the group parent company of the applicant and joint ventures in which the applicant participates. Legal entities can be connected in different ways. However, the purpose of regulation in the Ministerial Order is to designate all forms of affiliation. This is to prevent an applicant trying to increase their chances of securing a permit by setting up several companies, or participating with a small share in another venture that also submits an application. Affiliation must be seen in the broadest sense of the word. For example: it is an affiliated legal entity if there is only a 1% participation in a legal entity or partnership by one of the companies within the group/group company. The degree of economic or organisational affinity is irrelevant.

The aim is to limit the regulatory burden for both applicants and assessors. The purpose of this definition is not to limit market concentration. This is why this Ministerial Order deviates from the definitions of an affiliated legal entity that follow from the Merger Regulation.⁷⁶ The application must include a legal organisational chart of the legal entities associated with the applicant, as referred to in Article 1, stating the registration number in the commercial business register or comparable registry of each connected legal entity.

A resource is available for the application on the Netherlands Enterprise Agency (Rijksdienst voor Ondernemend Nederland - RVO) website. This indicates the address where applications should be sent. The details and documents to be submitted with the application are outlined in Articles 3 and 4 of this Ministerial Order. In accordance with Article 3(5) and (6), this may involve single or multiple parties.

No costs will be charged for processing an application for a permit. Article 5 of this Ministerial Order therefore sets the costs for this at €0. However, the costs incurred by the Government in preparing the Wind Farm Site Decision for IJWFS Alpha will be charged to the party to which the permit is granted. This amount is set in Article 9 at € 19,885,756. Article 9 also states when and how this amount must be paid. Finally, each year, the party granted the permit will also have to pay the amount it agreed in its financial bid. The permit will state within what period and how this must be done.

The rules regarding the bank guarantee or deposit as a suspensive condition, referred to in Section 15a of the Act, are laid down in Article 10 of this Ministerial Order. Under this regulation, an insurer with (at least) a long-term rating A from a rating agency⁷⁷ can issue a bank guarantee/deposit. This ensures a level playing field between banks and insurers and offers the permit holder more options for complying with this suspensive condition.

4. Assessment of applications

Section 1 of these Explanatory Notes explains that the Act provides for four possible procedures for granting permits for construction and operation of offshore wind farms. These are the procedure with a subsidy, a comparative test, a comparative test with a financial bid and an auction. In all procedures, a permit is only granted if it is shown to be sufficiently plausible that the construction and operation of the wind farm is feasible; is technically, financially and economically feasible; can be started within the period referred to in Article 5(2) of this Ministerial Order; and it complies with

⁷⁶ Regulation (EC) no. 139/2004 by the Council of the European Union of 20 January 2004 on the control of concentrations between undertakings (EC Merger Regulation).

⁷⁷ Corresponding Regulation (EC) No. 1060/2009 of the European Parliament and Council of 16 September 2009 on credit rating agencies.



the WFSD. Article 6 of this Ministerial Order contains additional rules on the assessment criteria where necessary.

Electricity from IJVVFS Alpha lands at Borssele. IJVVFS Alpha and IJVVFS Beta are the first wind farms in the Netherlands to be connected via a direct current (DC) connection. Due to the relatively long distances to onshore connection sites and the large capacity to be connected, TenneT will use 2 GW DC substation platform connection systems for IJVVFS Alpha and IJVVFS Beta. The update of the Development Framework⁷⁸, adopted by the Minister for Climate and Energy Policy on 27 October 2023, includes provisions on the planned delivery procedure and dates for direct current connections. The delivery of the planned DC connections require a separate procedure because, unlike alternating current connections, a DC connection must be tested, for which the entire wind farm must be connected and ready to supply the full power. Because of the mutual dependencies and obligations, set out in the Development Framework, between TenneT and the permit holder to follow this delivery procedure and to realise it according to the delivery dates, the applicant is requested in Article 3(3) of this Ministerial Order to state the start date for pulling the 66 kV cables onto the offshore grid substation platform and the wind farm's readiness for full power delivery for the purpose of the joint test phase. The final delivery dates for the offshore grid have been set and announced before the publication by this Ministerial Order in the Development Framework (in Table 4), which was updated on 27 October 2023.

In view of the delivery dates of the offshore grid, the period referred to in Article 5(2) of this Ministerial Order has been set at 56 months after the permit becomes irrevocable. It is assumed the permit will become irrevocable on 1 September 2024. The permit can only be granted if it is sufficiently plausible, based on the application, that construction and operation of the wind farm can begin within this period. This period of 56 months therefore only applies for the assessment of the application and not the periods that will be included in the permit. The periods specified in the permit regulations will be linked to the milestones for delivery of the offshore grid, as stated in the Development Framework.

The permit holder can assume and will be held to the milestones of the Development Framework in the permit, namely: the platform is ready for pulling the 66 kV cables onto the offshore grid platform (cable pull-in); the wind farm is ready to deliver full power; and delivery of the direct current connection. There is a possibility that, due to then objections and appeals procedure, the permit will become irrevocable considerably later than 1 September 2024. If the period between the permit becoming irrevocable and the platform being ready for cable pull-in is therefore less than 48 months, the Minister for Climate and Energy Policy will enter into consultation with TenneT and the permit holder about a new schedule for the milestones for delivery of the grid and wind farm. In that case, the Minister for Climate and Energy Policy will in principle use the option, pursuant to Section 15(4) of the Act, to grant an exemption from the obligations to carry out certain activities within certain periods as stated in the permit. The Minister for Climate and Energy Policy will, in principle, also use the option to grant an exemption from the obligations to carry out certain activities within certain periods, if the offshore grid platform is not completed and ready for the pull-in of the 66 kV cables by the delivery date, as stated in the Development Framework. Granting an exemption prevents the bank guarantee or deposit from being forfeited because the permit holder, due to circumstances within the control of the offshore grid operator, is no longer able to have the wind farm ready in time to deliver full power and thus cannot fulfil its obligation.

When assessing financial feasibility, the size of the equity is taken into account. The construction and operation of a wind farm are only considered financeable if the application shows that the applicant's

⁷⁸ Ontwikkelkader windenergie op zee vastgesteld in de Ministerraad van 27 oktober 2023: <https://open.overheid.nl/documenten/71431357-9c64-4fb6-b75d-85f345a8b08c/file>, 4.2.2 2 GW gelijkstroomverbindingen.



equity comprises at least 20% of the total investment costs for the wind farm. Committed, but not yet requested capital contributions, which may apply in the case of an investment fund, do not count in the assessment of financial feasibility. These capital contributions are not formally equal to equity. In addition, the securities attached to these capital contributions depend on the contractual agreements between the fund and investors. To determine the size of the equity, if the applicant is a partnership, the equity of the participants in the partnership and their parent company or companies will be included upon request. If the applicant is part of a group (i.e. a subsidiary), the equity of the parent company will be included at the request of the applicant. In accordance with the definition of 'partnership' in Article 1 of the Framework Decision on National EZK and LNV Subsidies (rules regarding state aid from the Ministry of Economic Affairs (EZK) and the Ministry of Agriculture, Nature and Food Quality (LNV)), an application will be deemed to be from a partnership when it is submitted by an organisation consisting of at least two participants that are not affiliated in a group, with the partnership not having a legal personality and, while not being a company, has been established for the purpose of carrying out activities. If several parties jointly establish a company that submits the application, the application will be regarded as an application by this company and not as an application by a partnership.

The capital requirement in Article 6(2) of this Ministerial Order is intended to prevent the permit from being granted to parties that are not financially strong enough. An applicant can be deemed financially strong enough based on the assets of others participating in the application. This is expressed in Article 6(3) of this Ministerial Order. The assets of other entities are only included at the request of the applicant.

It is not intended that the other party should be responsible for the applicant's obligations. Therefore, the terms parent and subsidiary in Article 6 of this Ministerial Order must be interpreted broadly. For example, if the applicant is a joint venture, the equity of all joint venture partners and their parent companies can be included. In the case of a private company in formation, both the assets of the parent company or companies and that of the founding part can be taken into account. In the case of an application by a limited partnership (hereinafter: CV), the equity of the managing partner and its parent company or companies can also be used, in addition to the separate assets of the CV.

The site for which a permit is granted under this Ministerial Order, IJWFS Alpha, is not located in Dutch territorial waters. Therefore, no building rights (right of superficies) will be established for the construction of installations on the seabed of the site, which will have to be paid by the permit recipient.

A financial bid must be submitted as part of the application. If an application does not include a financial bid, the application will be rejected pursuant to Section 25a of the Act. Therefore, to assess the financial and economic viability of a project, consideration will also be given to whether the applicant has taken into account the costs that must be paid pursuant to Article 9 of this Ministerial Order and its financial bid.

After the permit becomes irrevocable, the permit holder is obliged to carry out all related activities related to the permit in accordance with: the Act; this Ministerial Order (including all conditions in the tables in the Appendix to this Order); the WFSD; the permit; and the information submitted with the application and on the basis of which the application was assessed in the comparative test. If this obligation is violated, there is the power to impose an administrative order (Section 27 of the Act) or to withdraw the permit (Article 17(2), opening words and (b) of the Act). An applicant must not include any reservations in its application regarding the ability to carry out an activity, for example: obtaining a subsidy, a positive business case or obtaining a connection from a network operator. This ensures the applications can be assessed fairly. When assessing an activity in the application, it does not matter whether a subsidy has already been granted for that activity or has yet to be applied for.



The permit holder for IJVVFS Alpha is obliged to carry out the activities offered. To receive a subsidy for the activity offered, it is required that the subsidy (to be granted) meets the requirements regarding incentive effect, in accordance with the *Climate, Energy and Environmental Aid Guidelines* (CEEAG), and other requirements that apply to the relevant subsidy scheme. A subsidy for the activity offered, which is applied for and granted after the permit application has been submitted or after the permit has been obtained, can therefore still have an incentive effect.

Finally, based on the regulations in the permit, after the permit becomes irrevocable, the permit holder is obliged, among other things, to report annually to the Minister for Climate and Energy Policy about: progress on the realisation of the wind farm until the moment it becomes operational; progress on the activities the permit holder committed to in response to the ranking criteria stated in Table 4 'Compliance with the principles of International Responsible Business Conduct (IRBC) Agreement for the Renewable Energy Sector' and in Table 6 'Contribution of the wind farm to the ecosystem of the Dutch North Sea'; and the annual electricity production from wind energy (per site and per wind turbine). In addition, the permit holder is obliged to report once, no later than 18 months after the permit becomes irrevocable, on the information it agreed to provide in response to the ranking criteria in Table 5 'Degree of insight into raw material consumption, environmental impact and value retention in the design, construction, operation and decommissioning of the wind farm'. RVO will send a reminder to the permit holder in advance.

5. Ranking of applications

Pursuant to Section 25b(4) of the Act, where two or more applications for a permit meet the requirements referred to in Section 12a and Section 14 of the Act, the permit will be granted according to the ranking based on the three qualitative criteria specified in Section 25b(2) of the Act. It is also possible, under Section 25b(3) of the Act, to impose further rules for the criteria and establish additional criteria to be considered in the ranking, as is the case in this Ministerial Order.

Tables 1 to 6 in the Appendix to this Ministerial Order set out how the ranking criteria are weighted. The emphasis here is on the qualitative criteria. When ranking applications, most weight is given to the criterion 'Contribution of the wind farm to the ecosystem of the Dutch North Sea' (Table 6 in the Appendix). This criterion accounts for up to 45% of the total score, with a maximum of 180 points achievable.

It is possible that two or more applications will be given the same score in the assessment. In that case, the ranking criteria will be weighed in accordance with Article 8(2 to 7). Here, according to Article 8(2), the criterion 'Contribution to the ecosystem of the Dutch North Sea' is decisive. If two or more applications for each wind farm site are still ranked joint highest, the third paragraph, Article 8(3), will be applied, meaning 'The wind farm's contribution to energy supply' criterion will be decisive. Accordingly, where necessary the 'Certainty of the wind farm being completed' criterion will be applied on the basis of the fourth paragraph, Article 8(4). If necessary, paragraphs 5 and 6 (Article 8(5) and (6)) are then applied, meaning the ranking will be based on the criterion 'Level of compliance of the wind farm operator and the supply chain with the principles of the International Responsible Business Conduct (IRBC) Agreement for the Renewable Energy Sector' and the criterion 'The degree of insight into raw material consumption, environmental impact and value retention in the design, construction, operation and decommissioning of the wind farm' respectively. Finally, if necessary, the seventh paragraph, Article 8 (7), regarding the 'Amount of the financial bid' will be applied.

5.1 Amount of the financial bid

With the criterion 'Amount of the financial bid' (Table 1 in the Appendix), an application is ranked



according to the ratio of the amount of the financial bid (made in euros and to be paid annually) compared to the amount stated in Table 1, namely €420 million. An annual financial bid of €420 million or more earns the maximum number of points. The financial offer criterion expressly includes a link between the maximum number of points and a maximum amount for the bid to achieve the highest score. The aim is to make the criteria in Article 7(2) of this Ministerial Order more objective and provide clarity (about how a maximum score can be achieved) for both applicants and the assessors of the applications. Since the aim is to objectify the qualitative ranking criteria in such a way that the differences between applications may be limited, the amount of the financial bid offers room for variations between applications. In view of the required investments and costs for the qualitative ranking criteria and the value of the wind farm site, it is not expected that the maximum number of points will be scored for the financial bid. The financial bid amount must be paid annually during the entire permit period. This means that, from the moment the permit becomes irrevocable, the applicant must pay the amount offered each year for a period of 40 years. This amount will not be indexed. A staggered payment for the financial bid has been chosen because this gives the permit holder the opportunity to include this amount, to a large extent, in the operational cost of the wind farm and thus the financing requirement for the realisation of the wind farm as a suspensive condition for obtaining the permit decreases.

5.2 Certainty of the wind farm being completed

For the criterion 'Certainty of the wind farm being completed' (Table 2 in the Appendix), an application is ranked higher along two lines: experience and financial strength. In other words, the more experience the most important parties involved in the construction and operation of the wind farm have in realising an offshore wind farm and the greater the equity in relation to the investment costs in the wind farm, the higher the ranking on this criterion.

5.3 The wind farm's contribution to energy supply

For the criterion 'The wind farm's contribution to energy supply' (Table 3 in the appendix), an application is ranked higher as - within the limits of the WFSO - a higher annual electricity production is fed into the offshore grid. If investments are also made in electricity production from offshore solar energy, this does not count towards the contribution of the wind farm to energy supply.

5.4 Compliance with the principles of the International Responsible Business Conduct (IRBC) Agreement

With regard to the criterion 'Level of compliance of the wind farm operator and the supply chain with the principles of the International Responsible Business Conduct (IRBC) Agreement for the Renewable Energy Sector' (Table 4 in the appendix), an application is ranked higher if it can be demonstrated that the parties, as listed in Article 3(5)(a-i) of this Ministerial Order, have applied appropriate due diligence, in terms of IRBC. They can demonstrate this by:

1. Participation in the IRBC Agreement for the Renewable Energy Sector led by the Social and Economic Council (SER) (hereinafter: IRBC Agreement for Renewable Energy) and the associated annual monitoring of the supply chain of the parties, as described in the IRBC Agreement for Renewable Energy;
2. Participation in another multi-stakeholder initiative similar to the IRBC Agreement for Renewable Energy, whereby the supply chain of the participating parties is monitored in a comparable way; or
3. Having its own due diligence policy, if there is no participation in the IRBC Agreement for Renewable Energy or an alternative comparable multi-stakeholder initiative to the IRBC Agreement. In this case, fewer points will be awarded, because there is no multi-stakeholder initiative.

The aim of this criterion is to apply a life cycle and broader sustainability approach by anticipating EU legislation in the field of IRBC in line with the Organisation for Economic Co-operation and



Development (OECD) guidelines for multinational enterprises, the principles of the United Nations (UN) for human rights and business and the IRBC Agreement for Renewable Energy signed by the Minister for Climate and Energy Policy on 6 March 2023.⁷⁹ This Ministerial Order therefore anticipates EU legislation, which is in line with the interpretation of a number of motions from the House of Representatives.⁸⁰

The scoring system of the IRBC Agreement for Renewable Energy consists of a green, orange and red score. The green score means that the participant in the IRBC Agreement for Renewable Energy meets the requirements associated with the relevant number of years in which it has participated in the IRBC Agreement. This is the highest score. The orange score means that the participant in the IRBC Agreement for Renewable Energy does not fully meet the requirements associated with the relevant number of years in which it has participated in the IRBC Agreement, but it still implements the requirements. The red score means that the participant in the IRBC Agreement for Renewable Energy does not meet all requirements and that other participants in the IRBC Agreement do not expect the participant to comply with the requirements within the current reporting year. The SER annually tests the requirements of the IRBC Agreement for Renewable Energy and gives one of these scores.

The permit states that the permit holder reports annually to the Minister for Climate and Energy Policy on progress achieved in the IRBC Agreement for Renewable Energy by the permit holder and its supply chain named in Article 3(5)(a-i). The permit holder and its supply chain referred to in Article 3(5)(a, b, e, f and i) must achieve at least an orange score from the moment the permit becomes irrevocable, i.e. either a green or orange score. In the case of the parties named in Article 3(5)(a, b, e, f and i) of this Ministerial Order, points will only be awarded for participation in the IRBC Agreement for Renewable Energy, if these parties have submitted an application for accession to the IRBC Agreement for Renewable Energy by 29 February 2024 at the latest. In the case of parties referred to in Article 3(5)(c, d, g and h) of this Ministerial Order, the permit holder shall demonstrate, no later than one year after the permit becomes irrevocable, that these parties have acceded to the IRBC Agreement for Renewable Energy. This means that, if the permit holder agrees to this in its application, these parties have longer to accede to the IRBC Agreement. After joining, these parties will also have to achieve at least an orange score. RVO will request that steering group of the IRBC Agreement for Renewable Energy share information about the scores achieved with it. The steering group is authorised, on the basis of Article 2.2a of the Confidentiality Protocol associated with the IRBC Agreement for Renewable Energy, to make a decision about sharing this information. It will, in principle, vote on this by consensus.

This reporting takes place annually until the wind farm is ready to supply full power for the test phase, as stated in the periods in the permit. The permit will also state that when participating in a similar IRBC multi-stakeholder initiative or without demonstrable participation in it, the permit holder will report annually on IRBC-related progress and will at least demonstrate an effort in terms of progress comparable to the orange score in the IRBC Agreement for Renewable Energy.

In the event that the IRBC Agreement for Renewable Energy is terminated earlier by a decision of the General Meeting of the IRBC Agreement for Renewable Energy, the permit holder will report on the progress made on IRBC and must demonstrate at least a progress in effort comparable to the orange score in the IRBC Agreement for Renewable Energy.

⁷⁹ SER (March 2023), [International Responsible Business Conduct Agreement for the Renewable Energy Sector](#).

⁸⁰ This concerns the Sienot/Van der Lee motion (Parliamentary Paper 35092, no. 15) about setting requirements in permit procedures for offshore wind farms regarding good environmental and labour standards during the manufacturing and installation of wind turbines, the Wassenberg/Jetten motion (Parliamentary Paper 32813, no. 211) on the inclusion of guidelines on the origin of raw materials used in tenders for wind farms and solar parks and the Jetten/Wassenberg motion (Parliamentary Paper 32813, no. 209) on advocacy in international bodies for transparency in the raw material supply chains relating to raw materials that are necessary for the energy transition and on advocating and implementing guidelines in a national and European context for reuse of raw materials. See also Parliamentary Paper 35092, no. 33



A multi-stakeholder initiative comparable to the IRBC Agreement for Renewable Energy must meet a number of conditions:

1. This multi-stakeholder initiative focuses on renewable energy;
2. It includes all six steps of due diligence, as defined by the OECD;
3. It has a multi-stakeholder approach, with NGOs, labour unions, governments and business, that enables the different perspectives on the risks of human rights violations and negative environmental impact in the chain to be put forward; and
4. There is a monitoring process, in which the secretariat of the multi-stakeholder initiative or another independent organisation checks compliance by participants.

In the case by the parties named in Article 3(5)(a, b, e, f and i) of this Ministerial Order, points are only awarded for participation in another renewable energy agreement comparable to the IRBC Agreement if accession has taken place in time for the assessment of the applications. In the case of the parties referred to in Article 3(5)(c, d, g and h) of this Ministerial Order, the permit holder must demonstrate, no later than one year after the permit becomes irrevocable, that these parties have joined another multi-stakeholder initiative comparable to the IRBC Agreement for Renewable Energy.

5.5 Degree of insight into raw material consumption, environmental impact and value retention in the design, construction, operation and decommissioning of the wind farm

For the criterion "The degree of insight into raw material consumption, environmental impact and value retention in the design, construction, operation and decommissioning of the wind farm" (Table 5 in the Appendix), an application is ranked higher if the applicant, after obtaining the permit, provides or promises to provide as much insight as possible. The purpose of this criterion is to promote transparency and gain insight into raw material consumption, environmental impact and value retention of the components of an offshore wind farm. This may allow policy to be formed in the future and work towards industry standards. Applications are not ranked based on extent to which raw material consumption and environmental impact are reduced or value retention is increased.

An application will be ranked higher if the applicant provides insight into the information requested in Table 5 (1.1, 1.4, 2.1.1 and 2.2). An application is ranked higher if, in its application, the permit holder agrees to give insight into the information requested in Table 5 (2.1.2, 2.3, 2.4, 2.5 and 3.1) no later than 18 months after the permit becomes irrevocable. Under Table 5 (1.2, 1.3 and 1.5), an application is ranked higher if, no later than 18 months after the permit becomes irrevocable, the permit holder provides insight into more variables and methods, as described in the Circular Manufacturing Industry's Circular Product Passport Guide.⁸¹

Sections 1.1 and 2.2 of Table 5 refer to the circular strategies, namely: (1) reduction in the use of raw materials, (2) substitution of raw materials and components, (3) high-quality processing of raw materials and (4) extending the lifespan of the wind farm. These circular strategies are defined in the National Circular Economy Programme 2023-2030.⁸² The point to be achieved per circular strategy will only be awarded if the applicant addresses all parts of the wind farm in the substantiation, as referred to in Table 5. Section 2.2 of Table 5 is an in-depth look at Section 1.1, whereby the applicant must specifically discuss the critical and strategic raw materials. The applicant uses a recognised standard for this substantiation, such as an ISO standard or circular design methodology.

In Table 5 (1.2, 1.3 and 1.5), for the design, operational and decommissioning phases respectively,

⁸¹ [UPCM-Guideline-Materialspassport-V2.0.pdf \(circularmakindustrie.nl\)](#).

⁸² [Nationaal Programma Circulaire Economie 2023 - 2030 | Beleidsnota | Rijksoverheid.nl](#).



the applicant is asked to indicate how many variables and methodologies it (as the permit holder) will provide insight into within 18 months of the permit becoming irrevocable. These variables and methods follow guidance from the Circular Manufacturing Industry's Circular Product Passport Guide⁸³:

Circular data category	Circular key performance indicators (KPI)	Circular variables	Circular methodologies
A. Raw material consumption	A1. Raw material composition	A1.1. Raw materials in grams	Scale
		A1.2. Recycled raw materials in % and grams	Scale
		A1.3. Critical raw materials in grams	Scale, see European Commission list ⁸⁴
		A1.4. Substances of high concern (zeer zorgwekkende stoffen, ZZS) in grams	Scale, see the RIVMs ZZS list ⁸⁵
	A2. Recovery of raw materials in recycling	A2.1. Recovered raw materials in % and grams	Scale
		A2.2. Recovered critical raw materials in % and grams	Scale, see European Commission list ⁸⁶
	A3. Auxiliary raw material composition	A3.1. Auxiliary raw materials in grams	Scale
B. Environmental impact	B1. Greenhouse Gas Emission (GHG) Life Cycle Analysis (LCA)	B1.1. GHG in grams and % production phase	Circularity indicators ⁸⁷
		B1.2. GHG in grams and % transport phase	Circularity indicators ⁸⁸
		B1.3. GHG in grams and % use phase	Circularity indicators ⁸⁹
		B1.4. GHG in grams and % recycling phase	Circularity indicators ⁹⁰
	B2. Biodiversity	B2.1. Impact on biodiversity	Globio model of ReCiPe model ⁹¹
C. Value retention	C1. Lifespan	C1.1. Current life cycle	Status
		C1.2. Actual life cycle	Display in years
		C1.3. Product guarantee/warranty in years	Display in years
		C1.4. Product support in years	Display in years
		C1.5. Software support in years	Display in years
	C2. Application of reusable components	C2.1. Explanation of the application of reuse	Description

⁸³ [UPCM-Leidraad-Materialenpaspoort-V2.0.pdf \(circulairremaakindustrie.nl\)](#).

⁸⁴ The European Commission list of 26 critical raw materials: [Study on the review of the list of Critical Raw Materials, European Commission, p. 11](#).

⁸⁵ The number of ZZS identified to date is 1576. This has been collected in the [ZZS list by the Dutch National Institute for Public Health and the Environment \(RIVM\) Ricks of Substances website](#). This list is updated twice a year.

⁸⁶ See footnote 50.

⁸⁷ For the use of LCA methods, please refer to p.44 par. 2.3.2.1. "Energy Usage and CO2 Emissions" from the report '[Circularity Indicators: an approach to measuring circularity](#)' by the [Ellen MacArthur Foundation](#). The European Commission has also developed a uniform LCA methodology: the '[Product Environmental Footprint](#)' (PEF).

⁸⁸ See footnote 53.

⁸⁹ See footnote 53.

⁹⁰ See footnote 53.

⁹¹ More information about the methodologies to determine the impact of companies or their products and services on biodiversity: (i) GLOBIO model: <https://edepot.wur.nl/421554> and <https://www.globio.info/>; (ii) ReCiPe model: [LCIA: the ReCiPe model | RIVM](#).



C3. Application of recycled raw materials	C3.1. Explanation of the use of recycled raw materials	Description
C4. Status end cycle	C4.1. Agreement status R-cascade	Description
	C4.2. Residual value provision	Description
C5. Indemnity	C5.1. Mandatory documents	Description

The applicant can discuss the six parts of the wind farm, referred to in Table 5 (1.2, 1.3 and 1.5). The applicant can provide insight into 44 variables and methods for each part of the wind farm. It is therefore possible to provide insight into a total of 264 variables and methods for the six parts combined. The applicant must substantiate why it is ambitious and technically feasible to provide insight into the indicated variables and methods. It is also possible to use a more accurate methodology than mentioned in this guideline. The applicant must then substantiate this methodology.

The applicant will receive the maximum number points for Section 1.4 of Table 5, if it explains which technologies are used for (smart) maintenance and for what purpose(s), and discusses all six parts of the wind farm referred to. Smart maintenance means, for example, that the applicant uses data collection systems and then uses this data to improve maintenance.

Sections 2.1.1 to 2.4 of Table 5 covers insight into the use of alternative (circular) materials and critical and strategic raw materials. These critical and strategic raw materials follow from the definitions in the European Commission's list for Critical and Strategic Raw Materials 2023.⁹²

Table 5(3) focuses on gaining insight into the greenhouse gas footprint of the production of the wind farm's components and during its construction, operation and maintenance and decommissioning phases. The applicant will be awarded the maximum number of points if, as permit holder, it provides insight into the greenhouse gas footprint and explains the effect of the measures taken under Table 5(1.1 and 2.2). The permit holder may use the Greenhouse Gas Protocol⁹³ for this or a similar standard.

Finally, the applicant will be ranked higher for Section 4 of Table 5, if it agrees, as the permit holder, to make public the shared or promised information under Sections 1 to 3 no later than 18 months after the permit becomes irrevocable. In this way, the promised information can be shared more widely within, for example, the sector, so that others parties can also learn from it.

5.6 Contribution of the wind farm to the ecosystem of the Dutch North Sea

5.6.1 General

For the criterion 'Contribution of the wind farm to the ecosystem of the Dutch North Sea' (Table 6 in the Appendix), an application is ranked higher, with more points awarded, based on the assessment of the independent expert committee. Various conditions and assessment criteria are included for the Table 6 criterion. For each investment or measure, the applicant must substantiate that the conditions and assessment criteria specified have been met. The independent expert committee will assess if the conditions and assessment criteria have been sufficiently met. Table 6 in the Appendix

⁹² [RMIS - Raw Materials Information System \(europa.eu\)](https://eumaterials.com/).

⁹³ <https://ghgprotocol.org/>.



sets out the conditions and assessment criteria. These focus on three objectives:

1. Taking measures in IJVVFS Alpha and determining their effectiveness to reduce negative ecological effects on local common birds and marine mammals;
2. Strengthening and restoring underwater nature, marine ecosystems and naturally occurring diversity of benthos in IJVVFS Alpha; and
3. Contributing to knowledge, research and innovation to reduce negative ecological impacts and enhance positive ecological effects in IJVVFS Alpha and future Dutch offshore wind farms.

The focus is on implementing measures to prevent or mitigate the negative effects of offshore wind energy on ecology as much as possible, in addition to the regulations in the WFSD, and to gain insight into their effectiveness. The focus of the weighting of additional criteria for the comparative test for IJVVFS Alpha therefore lies with the Framework for Assessing Ecological and Cumulative Effects (KEC) 4.0 species⁹⁴ and bird species that are designated or may be additionally designated in the future in the Natura 2000 Brown Bank (Bruine Bank) area under the Birds Directive.

The criteria reflect the location-specific properties of IJVVFS Alpha. For example, the site is located next to the Natura 2000 Brown Bank area, which is designated for certain bird species. Therefore, the species that are relevant for both the KEC 4.0 and the Natura 2000 Brown Bank area are particularly important. In addition, IJVVFS Alpha WFSD includes regulations for nature inclusive construction for the benefit of cod and associated biodiversity. The area is also promising for reef-building species, especially the Ross worm (*Sabellaria spinulosa*), which has also been found in the Natura 2000 Brown Bank area. On the one hand, this argues for leaving the seabed of IJVVFS Alpha undisturbed (passive restoration of sites between the wind turbines). On the other hand, where the area is already subject to interventions (construction and maintenance of turbines and cables), this argues in favour of increasing these potentials. The proposed measures for ecological restoration are geographically limited to the wind turbines and cabling. The demonstration and application of solutions must be put into operation no later than 60 months after the permit becomes irrevocable. The financial contribution to the Ministry of Agriculture, Nature and Food Quality for the North Sea Enhancement Programme, to be made via a payment to the Ministry of Economic Affairs and Climate Policy, aims to financially support the measures for nature enhancement and species protection inside and outside wind farms. This programme, under the responsibility of the Ministry of Agriculture, Nature and Food Quality, will link climate goals to ambitions for the North Sea environment and ecosystem. The programme is being developed and implemented via a collaboration between the Ministry of Agriculture, Nature and Food Quality and the Ministry of Economic Affairs and Climate Policy, together with stakeholders. The permit will state that this payment must take place after the permit becomes irrevocable and how this will be done. If the permit becomes irrevocable between 1 May and 31 December, the payment will be made on the following 1 February. If the permit becomes irrevocable between 1 January and 30 April, payment will be made on the following 1 June.

5.6.2 Additional background for measures

The applications are assessed based on qualitative criteria and a quantitative assessment of measures to be taken. The applicant must meet the qualitative criteria conditions stated in Table 6. There are four categories: I. Substantiation; II. Research and monitoring; III. Knowledge, data and information; and IV. Conclusion, evaluation and discussion. These are defined in Section 1.1 of the table and, as it is explained, they also apply to Sections 1.2 to 3.3. In Table 6 (1.1, 1.2, 1.3, 1.5, 1.6, 1.7, 2.1, 3.1 and 3.2), additional qualitative criteria conditions are included and must also be met. The

⁹⁴ [Framework for Assessing Ecological and Cumulative Effects \(KEC\) 4.0 - North Sea Desk](#)



measures taken by the applicants to meet each qualitative condition will be assessed by an independent expert committee and rated as satisfactory or unsatisfactory. The applicant must be considered at least satisfactory (by the expert committee) for the set of qualitative criteria conditions set in Table 0 and the measure specific conditions to be eligible to score points for any of the specific quantitative assessment measures listed.

6. Legal aspects

Under this Ministerial Order, a permit is granted for the construction and operation of an offshore wind farm. A permit of this kind is scarce and potential candidates are therefore given the opportunity to compete for it in a competitive and non-discriminatory manner. Since the procedure for granting the permit is structured in this way, there is no state aid. It could be perceived that prohibited state aid has been granted, in the form of avoided costs for studies in the context of the EIA and Appropriate Assessment, which were incurred by the Minister of Economic Affairs and Climate Policy during the preparation of the WFSD. To prevent this, these costs are charged to the final permit holder.

7. Consultation

The draft Ministerial Order was informally consulted via the RVO website from 31 March 2023 to 30 April 2023.⁹⁵ Prior to this consultation, potential applicants were given the opportunity to submit their views on the Ministerial Order (yet to be drafted), either in writing or orally in a workshop and bilateral discussions (in March 2022, summer 2022 and the second quarter of 2023). These views have been taken into account where possible. Further clarifications that have been requested will be made available via the RVO website.

Following the informal consultation on the draft, a number of adjustments have been made to the Ministerial Order.

In Table 1, 'Amount of the financial bid', the amount to which the maximum number of points that can be achieved is linked has been substantially increased. The reason for this is that, during the consultation, a number of parties indicated that there is a possibility that they or another party will offer the maximum amount stated in the draft Ministerial Order (approximately € 44 million per year). This could entail the risk that there would be insufficient variation between applications and it would therefore not be possible to determine which applicant would obtain the permit through a comparative test of the financial bids. This risk is hedged by substantially increasing the amount stated for the financial bid.

In Table 4, 'Level of compliance of the wind farm operator and the supply chain with the principles of the International Responsible Business Conduct (IRBC) Agreement for the Renewable Energy Sector', the parties to which the IRBC criterion applies, as referred to in Article 3(5), are categorised according to time of accession to the IRBC Agreement. The parties referred to in Article 3(5)(a, b, e, f and i) will have to participate in the IRBC Agreement for Renewable Energy or a multi-stakeholder initiative comparable to it prior to submitting their application to get the maximum number of points. For parties referred to in Article 3(5)(c, d, g and h), the permit holder must indicate that, within one year after the permit has become irrevocable, these parties will have joined the IRBC Agreement for Renewable Energy or a comparable multi-stakeholder initiative to get the maximum number of points for these parties. The time of joining (the IRBC Agreement or similar) for these parties differs for two reasons: to limit the regulatory burden for the relevant parties in connection with joining the

⁹⁵ <https://www.rvo.nl/onderwerpen/windenergie-op-zee/ijmuiden-ver>.



IRBC Agreement for Renewable Energy; and to limit the regulatory burden (as a result of the assessment of these applications) for the SER.

In Table 5, 'The degree of insight into raw material consumption, environmental impact and value retention in the design, construction, operation and decommissioning of the wind farm', the applicant is asked to indicate which variables and methods, based on the Circular Manufacturing Industry's Circular Product Passport Guide, this party (as permit holder) can provide information on within 18 months of the permit becoming irrevocable. Furthermore, the applicant can be ranked higher by confirming (agreeing to) what information/insight this party will provide within 18 months of obtaining the permit. In this way, it is no longer necessary to conclude supply chain contracts before submitting the application.

In Table 6, 'Contribution of the wind farm to the ecosystem of the Dutch North Sea', some sub-objectives or components have been removed due to redundancy resulting from the minimum requirements set in the draft WFSD or legal inaccuracies, namely: all references to the Nautical Detection Light System (NDLS), research design for migrating bats and the start-stop measure. In addition, a number of sub-goals have been divided, namely: 'reducing collision victims, habitat loss and barrier effect' and 'reducing pressure factors on marine mammals'. A number of sub-goals have also been combined, namely: 'strengthening naturally occurring reef-building species' and 'nature-friendly cable crossings'. The other qualitative criteria have been tightened and the assessment criteria have been clarified.

Tables 4, 5 and 6 include a section for the purpose of knowledge sharing.

Finally, adjustments have been made to correct errors and omissions and improvements and clarifications a legal and textual nature have been made .

8. Regulatory pressure

Under this Ministerial Order, the applicant must provide information for the various ranking criteria specified. Most of this information is already available to applicants because it is relevant for internal decision-making about the application. It is possible that applications may be submitted, under this Ministerial Order, that vary in terms of commitment, preparation time, complexity and size. However, by designing the ranking criteria more objectively, as outline in Section 5 of these Explanatory Notes, it is expected that the differences between applicants will be more limited than with previous tenders and regulations. The greater degree of objectivity also limits the regulatory burden, because it is clearer in advance which activities/measures are necessary to obtain points for the ranking criteria. It is not unusual for permanent employees to make preparations for this (well) in advance of the publication of the Ministerial Order (for a permit tender) or for additional expertise to be deployed if required. Determining the administrative burden for this Ministerial Order is therefore mainly an approach based on a number of general assumptions (see explanation below). The choice for this permit procedure is based, among other things, on the results of a confidential market consultation, as explained in Section 7 above. This consultation included market parties that have indicated interest in a wind farm site in the IJWVWFZ. This consultation showed that only a very small proportion of market participants would prefer a different procedure, such as an auction, which involves less administrative burden.

The main change from the previous Ministerial Orders for Hollandse Kust (west) Wind Farm Sites VI and VII (HKWWFS VI and VII) is that, in this Ministerial Order, the ranking criteria 'Level of compliance of the wind farm operator and the supply chain with the principles of the International Responsible Business Conduct (IRBC) for the Renewable Energy Sector' and 'The degree of insight



into raw material consumption, environmental impact and value retention in the design, construction, operation and decommissioning of the wind farm' are taken into account. A total of one permit is available under this Ministerial Order. In accordance with Article 2(3) of the Ministerial Order, an applicant must submit no more than one application. In addition, it is no longer necessary for applicants to submit proof of financial guarantees from parent organisation(s). This will reduce the regulatory burden compared to the previous Ministerial Orders for HKWWFS VI and VII.

8.1 Application

For applications, applicants must submit data on the basis of which the technical and financial feasibility of their proposals will be assessed. Production estimates are also part of this. This obligation to provide information is elaborated on in Articles 3 and 4 of this Ministerial Order, also for the purpose of assessment against the ranking criteria. In calculating the administrative burden, a deployment of approximately 12 FTEs over a period of six months and a fixed hourly rate of €60 was assumed. This results in approximately €748,000 in administrative costs for submitting an application. Based on the market consultation, it is expected that approximately eight applications will be submitted. The total cost for this phase is therefore expected to be approximately €5,990,400.

8.2 Monitoring / accountability

During the construction of the offshore wind farm, annual reports must be submitted on the progress of the project up to full commissioning. This is a brief description of the progress of the project in relation to a number of benchmarks. In this way, an assessment can be made of when the wind farm can be commissioned and whether this will take place within the set period. The annual obligations are based on four hours per year. This results in approximately €240 per permit awarded. One permit will be granted under this Ministerial Order, bringing the annual cost to around €240. For a period of five years, the cost therefore amounts to €1,200.

In addition, the permit holder is subject to a number of reporting obligations based on the ranking criteria, insofar as the permit holder has agreed to comply with the relevant ranking criteria in its application. In total, the permit holder could report annually on electricity production and the wind farm's contribution to the IRBC Agreement for Renewable Energy. Finally, the permit holder could report once on raw material consumption, environmental impact and value retention during the design, construction, operation and decommissioning of the wind farm.

The reporting obligation on electricity production is based on 2 hours per month. This amounts to annual costs of approximately €1,440. During the total operational life of the wind farm (approximately 35 years), these costs amount to €109,200.

The reporting obligation for the IRBC Agreement for the Renewable Energy Sector assumes one FTE per year. This results in annual costs of approximately €124,800. The permit holder will report every year until the wind farm is ready to supply full power for the test phase, in line with the period stated in the permit. For this period, these costs amount to €624,000.

The reporting obligation for raw material consumption, environmental impact and value retention in the design, construction, operation and decommissioning of the wind farm is based on 0.5 FTE for one year. The permit holder will report once, within 18 months of the permit becoming irrevocable. This results in approximately €62,400 in costs.

The total costs for the monitoring and accountability phase are expected to amount to a maximum of €796,800.



8.3 Bank guarantee or deposit

When applying for a bank guarantee or deposit, the regulatory burden for parties will increase. This is due to the fact that this must be requested and that a monthly amount will have to be paid during the term of the bank guarantee or deposit. This assumes a maximum period of five years between the application and the use of the bank guarantee or deposit for (partial) payment of the amount due. Compared to the other option offered by law, a deposit, the regulatory burden for a bank guarantee is relatively greater, due to the additional costs during the term of the bank guarantee. The applicant can choose between a bank guarantee or a deposit.

Assuming an average security of €200,000,000 and costs of 1% per year, the average cost of a bank guarantee is approximately € 2,000,000 per year. This amounts to approximately € 10,000,000 in total.

8.4 Objection procedures

Every applicant has the option of lodging an objection against the award of a permit and subsequently launching an appeal against the decision on the objection. To determine the administrative burden, a total of three objection and appeal procedures is assumed. The cost of objections must be included in the concept of regulatory burden costs. Appeals do not count in this, as they fall under administrative law. The administrative cost for objection procedures amounts to approximately €10,000 per procedure. This means the total one-off cost for objection procedures is expected to be €30,000.

8.5 Total regulatory costs

In total, this Ministerial Order results in the following regulatory burden:

Phase	One-off regulatory burden for all applicants combined	Cumulative annual regulatory burden for the recipient of the permit
Application	€ 5,990,400	-
Monitoring/accountability	-	€ 796,800
Bank guarantees	-	€ 10,000,000
Objection procedures	€ 30,000	-
Total	€ 6,020,400	€ 10,796,800

The total for one-off costs of the tender under this Ministerial Order therefore amounts to approximately €6,020,400 and the cumulative annual costs total up to a maximum of approximately €10,796,800.

For comparison - to the extent it is possible to give an indication within the margins of uncertainty - with an estimated average electricity price of €75/MWh and assuming 4000 full load hours over 35 years of production, a 2 GW wind farm will have an expected turnover of approximately €21 billion. In this comparison, the one-off regulatory costs amount to 0.03% of the expected hypothetical turnover and the structural costs are 0.05% of the expected hypothetical turnover.

Finally, this Ministerial Order has no regulatory burden consequences for citizens and small and medium-sized enterprises (SMEs), as they are not expected to submit applications. Therefore, no SME test was conducted.

Advisory Board on Regulatory Burden assessment

The draft Ministerial Order has been submitted to the Advisory Board on Regulatory Burden (Adviescollege toetsing regeldruk, hereinafter: ATR). ATR issued an advisory report on 26 April 2023. In this, ATR advises further substantiation of the proportionality of IRBC. In the advice, the ATR



states that introducing due diligence has major consequences for the regulatory burden (estimated at €124,800 annually) and it is not immediately clear to ATR to what extent the adverse effects on human rights and the environment are prevented by the reporting obligations. In addition, the proposals consciously anticipate (international) IRBC legislation. In this Ministerial Order, the proportionality of 'Level of compliance with the principles of the IRBC Agreement for the Renewable Energy Sector' is further substantiated in Section 5.4 of the Explanatory Notes. In addition, the draft Ministerial Order assumed an annual reporting obligation for IRBC during the entire permit term (40 years). This has been adjusted in the final Ministerial Order to a reporting obligation during the period from when the permit becomes irrevocable until the moment at which the wind farm must be ready to supply full power for the test phase (approximately 5 years). This has significantly reduced the regulatory burden for IRBC.

9. Entry into force

This Ministerial Order comes into effect on 1 January 2024. This is in accordance with the policy regarding fixed change dates of Ministerial Orders. The period between publication by the Ministerial Order and the date it comes into force is less than two months. This is justified because the offshore wind energy industry has already been informed on 8 June 2023 about the dates on which applications can be submitted and delaying the entry into force is not in the interest of the offshore wind industry or for achieving renewable energy production targets.

The Minister for Climate and Energy Policy,