

SUBSIDIARY LEGISLATION 545.27

FEED-IN TARIFFS SCHEME (ELECTRICITY GENERATED FROM SOLAR PHOTOVOLTAIC INSTALLATIONS) REGULATIONS

1st July, 2013*

LEGAL NOTICE 253 of 2013, as amended by Legal Notices 271 of 2013, and 7, 155 and 416 of 2014; Act XXXIV of 2014; Legal Notices 171, 264, 365 and 415 of 2015; Act XXV of 2015; and Legal Notices 31, 237, 346, 369 of 2016, 32, 104, 120, 200, 338,381 of 2017, 149 of 2018, 159 of 2018 160 of 2018 and 2 and 171 of 2019 and 94, 234, 417 of 2020 and 36, 61, 298 of 2021, 69 and 88 of 2022, 43 of 2023, 35 of 2024, 48 of 2025 and 101 of 2026.

1. (1) The title of these regulations is the Feed-in Tariffs Scheme (Electricity Generated from Solar Photovoltaic Installations) Regulations. Title and purpose.

(2) The purpose of these regulations is to establish a feed-in tariff for electricity generated from solar photovoltaic installations and hence to promote and support the generation of electricity from renewable energy sources.

2. (1) Unless otherwise stated in these regulations, the definitions in the Act shall apply.

(2) In these regulations, unless the context otherwise requires: "the Act" means the Regulator for Energy and Water Services Act;

"annual threshold" means the cap in kWh or kVAh for the payment of the feed-in tariff for the period of time commencing on the 1st January and ending on the 31st December of each year;

"change of use of premises" means the change in the classification of a premises in terms of these regulations whether domestic or residential or non-residential or institutional household;

"co-generation" means the simultaneous generation in one process of thermal energy and electrical or mechanical energy;

"co-generation unit" means a unit that is able to operate in co-generation mode;

"commissioned" means the first time a solar photovoltaic installation is put into operation, following the establishment of operational readiness;

"DC" means direct current;

"*de minimis* aid" means aid awarded in accordance with Commission Regulation (EU) No 1407/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid;

Definitions.
Amended by:
L.N. 155 of 2014;
XXXIV. 2014.55,
56;
L.N. 171 of 2015;
XXV. 2015.41;
L.N. 264 of 2015;
L.N. 365 of 2015.
Cap. 545.
L.N. 120 of 2017;
L.N. 94 of 2020;
L.N. 43 of 2023;
L.N. 48 of 2025;
L.N. 101 of 2026.

*see regulation 1(3) of these Regulations, as originally promulgated.

"distribution" means the transport of electricity on high voltage, medium voltage and low voltage distribution systems with a view to its delivery to consumers, but not including supply;

"distribution system" means all the interconnected technical facilities used for conveying electricity to final customers;

S.L. 545.34. "distribution system operator" shall have the same meaning as assigned to it in the Electricity Regulations;

"domestic premises" means premises which include private dwellings with no persons registered with the distribution system operator as residing in them such as second homes, or private garages and common areas including roofs, stairs, terraces, gardens to buildings which are used solely for private dwellings;

"export of electricity" means in the case of a solar photovoltaic installation where the installation operator sells all electricity generated to the distribution system operator, the total electricity generated by the solar photovoltaic installation, and, in the case where the installation operator generates electricity primarily for own consumption in the premises where the solar photovoltaic system is located, the excess electricity generated by the solar photovoltaic installation but not consumed on site and which is injected into the distribution system;

"FIT" means feed-in tariff;

"FIT scheme" means the annual scheme whereby a specific amount of electricity generated by eligible solar photovoltaic installations and exported to the distribution system are paid a feed-in tariff as established in terms of these regulations;

"generation" means the production of electricity;

"ground-mounted" means installed on a supporting structure directly above ground, or integrated or fixed to a structure, such as a tent, greenhouse, glasshouse, canopy or other similar structure but does not include any structure installed on the roof of a building;

"installation operator" means the owner of the solar photovoltaic installation;

"institutional households" shall include the following premises:

- (a) healthcare institutions such as premises used as a hospital, nursing home or as any institution providing medical or nursing care;
- (b) institutions for retired, elderly or disabled persons, including premises used as a home for the retired or elderly persons or persons with any disability;
- (c) educational institutions including premises used as a boarding school or for similar purposes;
- (d) care institutions including premises used as orphanages, shelter homes, open centres for refugees or for similar purposes;
- (e) religious institutions including premises used as convents, retreat houses, or for similar purposes;

- (f) military institutions such as military barracks;
- (g) other institutions including premises used as boarding houses, penal or correctional facilities or for similar purposes;

"kVAh" means kilo Volt Ampere hour; "kW" means kilo Watt;

"kWh" means kilo Watt hours;

"metering equipment" means the electricity meters provided by the distribution system operator including smart meters, any voltage and current transformers and any other associated equipment and wiring required to measure the quantity of electricity supplied or exported;

"the Minister" shall have the same meaning as assigned to it in the Act;

"net metering arrangement" means the arrangement in place prior to the entry into force of these regulations where the units exported to the grid are deducted from the units imported from the distribution system for the calculation of the electricity bill;

"non-residential premises" means a building or plot of land which is used wholly or mainly for the purpose of conducting an economic activity, but does not include any building such as private garages or common areas to buildings which are used solely as private dwellings;

"operating aid" means the difference between the feed-in tariffs under the Second Schedule and the proxy for the market price for electricity established by the Electricity Regulations;

S.L. 545.34.

"operational readiness" means the capability to function in accordance with design and specifications;

"period of guaranteed payment of the feed-in tariff" means the period of time over which the feed-in tariff for all electricity generated from a solar photovoltaic installation is guaranteed;

"premises code" means a unique number assigned by the distribution system operator identifying a particular premises with its individual service address and served with electricity and, or water;

"proxy for the market price" shall have the same meaning as assigned to it in the Electricity Regulations;

S.L. 545.34.

"the Regulator" means the Regulator for Energy and Water Services as established by the Act;

"renewable energy sources" means renewable non-fossil energy sources, that is, wind, solar, geothermal, wave, tidal, hydropower, biomass, landfill gas, sewage treatment plant gas and biogases;

"residential premises" means any premises used solely and regularly as a private dwelling where at least one person resides but does not include institutional households;

"roof-mounted" means installed on the roof of a building and for the purposes of this definition "roof" shall also include a supporting structure permanently installed or attached to the roof of a building, but which shall exclude any supporting structure integrated or fixed

to a structure, such as tent, canopies or other similar structures when installed ground-mounted;

"scheduled" means in accordance with the scheduled program of ARMS Limited for the taking of periodic electricity meter readings;

S.L. 545.41

"smart meters" shall have the same meaning as assigned to it in the Electricity Supply Regulations;

"spill-off tariff" means the tariff to be paid for every unit generated by the installation operator in excess of own consumption and exported to the distribution system from a solar photovoltaic installation when the billing is done on a net metering arrangement;

"solar photovoltaic installation" means a solar photovoltaic system that generates electricity exclusively from solar radiation and consisting of all accessories including:

- (a) an array or arrays of photovoltaic modules that collect and absorb sunlight for conversion into electricity;
- (b) an inverter or inverters;
- (c) associated balance of system components, including wiring, conduits, switchgear, protection equipment, ancillary equipment and any other part of the installation necessary for the production and conveyance of electricity up to the metering equipment supplied by the distribution system operator, after the said solar photovoltaic installation has been approved by the Regulator as meeting the applicable criteria specified in the First Schedule;

"structure integrated solar photovoltaic installation" means a solar photovoltaic installation whereby the photovoltaic panels form part of the fabric of a structure which is not primarily intended for supporting PV panels but which can be so adapted. These include the following:

- (a) photovoltaic installations integrated in building façades only when the panels replace glass, stone, concrete or other building components in the façade;
- (b) bus shelters when the panels form part of the bus shelter envelope substituting other material necessary for the structure to function as a bus shelter;
- (c) canopies when the panels substitute other materials;
- (d) greenhouses when the PV panels substitute other material;

"submission date" means, in the case of a solar photovoltaic installation mentioned in regulation 4(1), the date on which the request to participate in the FIT scheme is received by the Regulator and, in the case of a solar photovoltaic installation mentioned in regulation 4(2), the date when a notification or an application for an authorisation to construct a solar photovoltaic installation, as the case may be, is received by the Regulator

together with the request to participate in the FIT scheme;

"undertaking" means any entity engaged in an economic activity, regardless of its legal status and the way in which it is financed. For the purposes of this definition "entity" includes any natural or legal person engaged in the provision of a good or service on the market;

3. These regulations shall apply to solar photovoltaic installations insofar as such solar photovoltaic installations are installed either in residential or domestic premises or in non-residential premises or institutional households, and which are to be connected to the distribution system, and which are so connected either directly or indirectly with the distribution system with the appropriate protective and metering equipment:

Applicability.
Amended by:
XXV. 2015.41.
Substituted by:
L.N. 264 of 2015.
Amended by:
L.N. 94 of 2020.
Substituted by:
L.N. 43 of 2023.
Amended by:
L.N. 101 of 2026.

Provided that a feed-in tariff in accordance with these regulations may only be awarded to solar photovoltaic capacities of less than 40kWp.

4. (1) In the case of a solar photovoltaic installation commissioned and connected to the distribution system on a net metering arrangement by means of the appropriate metering equipment provided by the distribution system operator prior to the entry into force of these regulations, the installation operator shall retain existing net metering arrangements with the distribution system operator and be paid the spill-off tariff for any electricity generated from the solar photovoltaic installation and exported to the distribution system paid prior to the entry into force of these regulations:

Sale of electricity
generated from
solar photovoltaic
installations.
Amended by:
XXXIV. 2014.56;
L.N. 171 of 2015;
XXV. 2015.41;
L.N. 264 of 2015;
L.N. 120 of 2017;
L.N. 94 of 2020;
L.N. 43 of 2023.

Provided that the installation operator shall not increase the capacity of a solar photovoltaic installation commissioned and connected to the distribution system on a net metering arrangement.

(2) In the case of any solar photovoltaic installation commissioned after the entry into force of these regulations and satisfying the eligibility criteria established in the First Schedule, the installation operator may:

- (a) either sell all electricity generated by the solar photovoltaic installation to the distribution system operator in accordance with regulation 6; or
- (b) or generate electricity primarily for own consumption in the premises where the solar photovoltaic installation is located and be paid the feed-in tariff in accordance with regulation 6 for any excess electricity generated and exported to the distribution system:

Provided that the installation operator may opt to switch between the two options established in paragraphs (a) and (b) at any time, subject to the provisions laid down in sub-regulation 4 of this regulation and regulation 9.

(3) The installation operator shall not be eligible for the feed-in tariff unless the solar photovoltaic installation is compliant with the

eligibility criteria established by the First Schedule and he obtains the necessary authorisations, licences or permits from the relevant competent authorities and the distribution system operator.

(4) In the case where the installation operator opts to utilise the electricity generated by the solar photovoltaic installation, the distribution system operator shall install metering equipment to measure all the electricity generated by the solar photovoltaic installation in addition to the import/export metering equipment.

Without prejudice to the generality of the foregoing, subject to the attainment of the consent of the distribution system operator, the installation operator may install metering equipment to measure all the electricity generated by the solar photovoltaic installation as an alternative to the installation of metering equipment by the distribution system operator for the purpose of measuring all the electricity generated by the solar photovoltaic installation.

(5) The electricity generated -

- (a) from solar photovoltaic installations approved with a different feed-in tariff for electricity generated and sold to the distribution system operator shall be separately metered and such solar photovoltaic installations shall be deemed to be separately installed;
- (b) from installations producing electricity from renewable energy sources other than solar energy connected with the same premises code with solar photovoltaic installations installed in terms of paragraph (a) shall also be separately metered;
- (c) from cogeneration units connected with the same premises code as solar photovoltaic installations installed in terms of paragraph (a) shall also be separately metered.

(6) In the case of an installation operator who generates electricity -

- (a) from separately installed solar photovoltaic installations and connected with the same premises code and approved with different feed-in tariffs, the electricity produced from each separately installed solar photovoltaic installation shall be paid by the distribution system operator at the applicable feed-in tariff rate as approved to each separate solar photovoltaic installation:

Provided that any addition to a solar photovoltaic installation's capacity during the period of guaranteed payment of the feed-in tariff, when the installation operator has chosen the option to generate electricity primarily for own consumption and with the export of any excess electricity generated to the distribution system, shall not be deemed to be a separately installed solar photovoltaic installation and the provisions of regulation 12(2) shall apply;

- (b) primarily for own consumption and exports any excess electricity to the distribution system from an installation producing electricity from renewable energy sources other than from solar photovoltaic installations, and connected with the same premises code as a solar photovoltaic installation installed primarily for own consumption, the export of any excess electricity generated to the distribution system, for any excess electricity generated and exported to the distribution system, shall be paid by the distribution system operator at the proxy for the market price established under the Electricity Regulations;

S.L. 545.34.

- (c) primarily for own consumption and who exports any excess electricity to the distribution system from an installation producing electricity from a cogeneration unit connected with the same premises code as a solar photovoltaic installation installed primarily for own consumption and with the export of any excess electricity generated to the distribution system, any excess electricity generated and exported to the distribution system shall be paid by the distribution system operator at the proxy for the market price established under the Electricity Regulations..

S.L. 545.34.

4A. In the case of electricity generated exclusively by solar photovoltaic installations constructed mainly for own consumption and where the installation operator does not benefit from any feed-in tariff under these regulations, the rate to be paid for any surplus electricity generated on site but not consumed and supplied to the distribution system operator shall be the proxy for the market price established under the Electricity Regulations:

Electricity generated exclusively by solar photovoltaic installations constructed mainly for own consumption.

Added by:
L.N. 416 of 2014.

Amended by:
L.N. 171 of 2015;
L.N. 237 of 2016;
L.N. 120 of 2017;
L.N. 43 of 2023.

S.L. 545.34.

Provided that:

- (a) the installation operator may not avail himself of the benefits under regulation 12(1)(e); and
- (b) in the case of an extension to the capacity of a solar photovoltaic installation installed in terms of regulation 4A, the rate paid for the surplus electricity generated on site but not consumed and supplied to the distribution system operator shall be the proxy for the market price established under the Fourth Schedule; and
- (c) solar photovoltaic installations installed in terms of this regulation shall not be installed as an extension to an existing solar photovoltaic installation already benefiting from a feed-in tariff under these regulations:
- (d) in the case of -
 - (i) roof mounted solar photovoltaic installations and, or solar photovoltaic installations integrated in the exterior walls of a building, the installed capacity which may be paid the proxy for the market price established shall be limited

to 5MWp per annum;

- (ii) ground mounted solar photovoltaic installations, the installed capacity which may be paid the proxy for the market price established shall be limited to 2MWp per annum.

Transitory
provision.
Added by:
L.N.120 of 2017.

4B. Any installation operator, who in force of the Feed-In Tariffs (Electricity Generated From Solar Photovoltaic Installations) Regulations, or in force of these regulations, is being paid or may be paid the marginal cost, however so described, shall as from the entry into force of this regulation, be paid the proxy for the market price.

Additional FIT.
Added by:
L.N.61 of 2021.
Amended by:
L.N. 43 of 2023.

4C. Any installation operator who was regulated by the repealed Feed-In Tariffs (Electricity Generated From Solar Photovoltaic Installations) Regulations, 2010 (originally promulgated by [Legal Notice 422 of 2010](#)), or as from the 1st July 2013, is being paid the proxy for the market price, and notwithstanding any other provision of these regulations, in the case of electricity generated exclusively by solar photovoltaic installations:

- (a) approved on a FIT scheme before the 1st January 2020; and
- (b) installed on residential or domestic premises in accordance with regulation 3; and
- (c) exported to the distribution system up to an annual threshold calculated as kWp multiplied by 1600h,

the installation operator shall be paid a feed-in tariff which amounts to 10.5 cents per kWh for a period of guaranteed payment of the feed-in tariff of twenty (20) years less the duration for which a FIT has already been paid to the installation operator:

Provided that this regulation shall only apply in cases where the original application for a feed-in tariff was approved with regard to a residential or domestic premises and subject to such premises being continually categorised for billing purposes as a residential or domestic premises throughout the duration of the guaranteed period of payment.

Commencement
and duration of
feed-in tariff
payment.
Amended by:
XXXIV. 2014.56;
XXV. 2015.41;
L.N. 264 of 2015.

5. (1) The feed-in tariff shall be due from the time when the solar photovoltaic installation is first connected to the distribution system as provided in regulation 3 and produces electricity exclusively from the solar photovoltaic installation.

(2) The feed-in tariffs shall be paid for the period of guaranteed payment of the feed-in tariff referred to in the Second Schedule depending upon the applicable solar photovoltaic installation's location and the type of premises wherein it is installed.

(3) Where any person replaces or increases the capacity of the solar photovoltaic installation in whole or in part, the installation operator shall not be entitled to the re-commencement or extension of the period of guaranteed payment of the feed-in tariff:

Provided that the same terms and conditions applicable for

that period of guaranteed payment of the feed-in tariff shall subsist.

(4) The feed-in tariff shall only be applicable up to the extent of and for the total amount of electricity exported to the distribution system by the solar photovoltaic installation as approved by the Regulator and as measured by the distribution system operator metering equipment.

6. The feed-in tariff to be paid by the distribution system operator to installation operators for electricity generated by solar photovoltaic installations in accordance with regulation 3 shall be as established in the Second Schedule. The feed-in tariffs shall be deemed to be inclusive of any compensation for loss of revenue arising from any planned and unplanned interruption which impedes the export of electricity from the solar photovoltaic installation to the distribution system:

Feed-in tariff.
Amended by:
XXXIV. 2014.56;
L.N. 120 of 2017;
L.N. 94 of 2020;
L.N. 43 of 2023.

Provided that any electricity generated by the solar photovoltaic installations and exported to the distribution system in excess of the thresholds established in the Second Schedule shall be paid at the applicable electricity rate as established in the Electricity Regulations.

7. *Repealed by Legal Notice 43 of 2023.*

Maximum
electricity exported
in FIT scheme.
Amended by:
XXV. 2015.41;
L.N. 264 of 2015.

8. (1) The distribution system operator may set off amounts due by an installation operator for the supply of electricity against amounts due to the installation operator for the exporting of electricity under these regulations:

Setting off
payment claims.
Amended by:
XXXIV. 2014.56;
L.N. 31 of 2016.

Provided that such setting off shall only be permissible where the claims are undisputed or are certain, liquidated and due:

Provided further that in the case of solar photovoltaic installations with an installed capacity of more than 100kWp, such set-off shall only apply by agreement of both the distribution system operator and the installation operator.

(2) Where a set-off arrangement between the installation operator and the distribution system operator is in place and the amounts due to the installation operator for the exporting of electricity referred to in sub-regulation (1) are in excess of the amounts due by an installation operator for the supply of electricity by the distribution system operator, the distribution system operator shall credit the installation operator the balance due by means of a credit note:

Provided that the distribution system operator shall pay the installation operator the balance due in such credit note for the supply of electricity by the installation operator when two consecutive scheduled bills based on actual meter readings are shown to be in credit and such payment shall be effected within sixty days of the date of the second scheduled bill.

(3) Where the installation capacity is larger than 100kWp and no set-off agreement exists between the installation operator and

the distribution system operator and the amounts due to the installation operator for the exporting of electricity are in excess of the amounts due by an installation operator for the supply of electricity by the distribution system operator, the distribution system operator shall credit the installation operator the balance due, which shall be paid to the installation operator within sixty days from the scheduled reading of the metering equipment:

Provided that the distribution system operator shall carry out the reading of the metering equipment within intervals of at least two months, to be reckoned as from the date of the first reading of the metering equipment.

Sale of electricity after the expiry of the period of guaranteed payment of the feed-in tariff.

Amended by:
XXXIV. 2014.56;
L.N. 171 of 2015;
L.N. 264 of 2015;
L.N. 94 of 2020;
L.N. 43 of 2023.

9. (1) The installation operator may opt and by written notice to the distribution system operator request a change between the two options established in sub-regulation (2) of regulation 4:

Provided that, the distribution system operator may require the carrying out of any necessary modifications to the solar photovoltaic installation connection to the distribution system before accepting such a request:

S.L. 545.34.

Provided further that, following the expiry of the period of guaranteed payment of the feed-in tariff, the installation operator shall be compensated for any exported electricity at the applicable rate for such electricity as at the time provided in the Electricity Regulations.

(2) Any installation operator who opts for such arrangements as established in sub-regulation (1) shall bear the costs of any modifications necessary including those related to the metering and connection required by the distribution system operator.

S.L. 545.34.

(3) Where, at the expiry of the period of guaranteed payment of the feed-in tariff, the installation operator of a solar photovoltaic installation does not request the distribution system operator to effect a change in option as provided in sub-regulation (1), the distribution system operator shall continue to purchase all the electricity generated by the solar photovoltaic installation and exported to the distribution system, and shall reimburse the installation operator for such electricity at the rate established in the Electricity Regulations.

(4) A solar photovoltaic installation that has benefited from a feed-in tariff shall not benefit from any new feed-in tariff after the expiry of the period of guaranteed payment of such feed-in tariff.

Obligations of installation operators.
Amended by:
XXXIV. 2014.56;
XXV. 2015.41;
L.N. 264 of 2015.

10. Installation operators shall:

- (a) submit such information as the Regulator may reasonably require;
- (b) request the prior approval of the Regulator and of the distribution system operator, in the form and manner they may reasonably require, if the solar photovoltaic installation is to be disconnected or transferred, sold or in any form modified in such a way as to degrade its

performance during the period of guaranteed payment of the feed-in tariff established in terms of these regulations;

- (c) comply at all times with the provisions of the applicable legislation, notification, authorisation, licence conditions and Network Code as approved by the Regulator;
- (d) make available to the distribution system operator and to the Regulator data required to be recorded for the purposes of these regulations.

11. Where an installation operator is deceased, or by reason of any other act or event, permanently ceases to be the installation operator, payment of the feed-in tariffs for electricity generated by solar photovoltaic installation under these regulations for the remaining period of guaranteed payment of the feed-in tariff may be transferable to the new installation owner, subject to the prior approval of the Regulator:

Succession and transferability of obligations and benefits under the FIT scheme.
Amended by:
XXXIV. 2014.56;
XXV. 2015.41;
L.N. 264 of 2015.

Provided that:

- (a) the new installation owner shall not be considered by the distribution system operator and the Regulator as a new installation operator if such installation owner is not in compliance with any other law, permit or any requirement in relation to the solar photovoltaic installation;
- (b) the new installation owner shall inform the distribution system operator and request the approval of the Regulator as aforesaid of such change in ownership in such form and manner as they may establish, together with any documentary proof and information that they may establish for such purposes;
- (c) the new installation owner takes over all obligations held by the previous installation operator.

12. (1) In the case of modifications relevant to the solar photovoltaic installation arising from -

- (a) change of use of the premises where the solar photovoltaic installation is located;
- (b) change of account holder;
- (c) transfer of solar photovoltaic installation from a premises to another different premises with a different premises code but with same use;
- (d) transfer of solar photovoltaic installation from a premises to another different premises with a different premises code and with different use;
- (e) change option from "sell all electricity generated" to "generate electricity primarily for own use" or vice versa, as provided for in regulation 9

Change of use of premises.
Amended by:
XXXIV. 2014.56;
L.N. 416 of 2014;
L.N. 171 of 2015;
XXV. 2015.41;
L.N. 264 of 2015;
L.N.120 of 2017;
L.N. 94 of 2020;
L.N. 43 of 2023.

any applicable feed-in tariff shall remain as originally approved by the Regulator and in accordance with the feed-in tariff scheme in force

during the year when the solar photovoltaic installation was first approved a feed-in tariff.

(2) In the case where an installation operator increases the generation capacity of a solar photovoltaic installation which is connected to the distribution system and which benefits from a FIT, the feed-in tariff to be paid by the distribution system operator and the period for guaranteed payment of the feed-in tariff shall remain the same as that approved by the Regulator and such increased capacity shall not be eligible for the payment of such feed-in tariff and any electricity exported above the threshold approved as part of the feed in tariff shall be paid at the proxy for the market price established under the Electricity Regulations.

(3) The changes listed in sub-regulation (1) shall become applicable from the date of the first meter reading taken after the date of submission of an application to the distribution system operator to approve and take the necessary action:

Provided that, if the distribution system operator requires the carrying out of any modifications to the solar photovoltaic installation connection to the distribution system such changes shall become applicable from the date of the first meter reading taken after such modifications have been made."; and

(4) The change in location of a solar photovoltaic installation from roof-mounted to ground-mounted or vice versa, for the purposes of the scheme shall be prohibited and any such change shall lead to the withdrawal of the feed in tariff:

Provided that this shall apply only when the applicable feed-in tariff for roof-mounted and ground-mounted solar photovoltaic installations is not identical.

(5) In the case of a solar photovoltaic installation connected to the grid in accordance with regulation 3 that has benefited from a grant and which was approved a feed-in tariff, such feed-in tariff shall remain applicable even if subject to the grant scheme conditions and as determined by the administrator of the grant scheme, the grant given for the solar photovoltaic installation has to be reimbursed.

Tradeable green
certificates.
Amended by:
L.N. 43 of 2023.

13. Installation operators shall not be entitled to any tradable green certificate or guarantees of origin certificate for electricity generated from the solar photovoltaic installation and for which the feed-in tariff is paid or for which the installation operator enjoys a net metering arrangement with a spill-off tariff or benefits from any of the arrangements provided in regulation 9.

Access, inspection,
etc. of metering
equipment.
Substituted by:
L.N. 101 of 2026.
S.L. 545.41

14. The provisions dealing with access, inspection, modification or tampering of meters found in the Electricity Connection and Supply Regulations shall apply *mutatis mutandis* to solar photovoltaic installation operators in the same manner as provided for in those regulations.

Reference to
regulations.

15. On the coming into force of these regulations, any reference, in any legislation, to the Feed-in Tariffs (Electricity Generated from Solar Photovoltaic Installations) Regulations, 2010

(revoked by these Regulations) shall be construed as a reference to these regulations.

Amended by:
L.N. 155 of 2014;
XXXIV. 2014.56;
XXV. 2015.41;
L.N. 264 of 2015;
L.N. 415 of 2015;
L.N. 237 of 2016;
L.N. 94 of 2020;
L.N. 234 of 2020;
L.N. 43 of 2023;
L.N. 48 of 2025.

FIRST SCHEDULE (Regulation 4)

Eligibility Criteria to participate in FIT scheme

Eligibility Criteria:

The electricity generated by a solar photovoltaic installation and exported to the distribution system is eligible to be paid at the established feed-in tariff rate determined by these regulations subject to the following criteria being satisfied:

1. The electricity is exclusively generated using solar radiation from solar photovoltaic installations which are approved by the Regulator.
2. The electricity generated by the solar photovoltaic installation and exported to the distribution system is within the thresholds specified in the Second Schedule.
3. The submission date of a request to participate in the FIT scheme shall be considered in the determination of the applicable FIT scheme and approval of the FIT under such scheme by the Regulator.
4. A solar photovoltaic installation shall be considered as eligible for participation in the FIT scheme if the amount proposed for export to the distribution system may be accommodated within the total maximum of electricity generated by solar photovoltaic installations eligible to benefit from the FIT scheme for the applicable year as determined in regulation 7 and in the Third Schedule. Participation to the FIT scheme shall be determined on a first-come first-served basis and each kWp installed shall be attributed a generation of 1600kWh.
5. The solar photovoltaic installation is notified to or authorised by the Regulator in accordance with any applicable legislation.
6. The solar photovoltaic installation is commissioned and an application to connect the installation to the distribution system has been submitted to the distribution system operator not later than twelve (12) months from the date of approval of the FIT by the Regulator. In the case that the solar photovoltaic installation is not commissioned and an application to connect the installation to the distribution system is not submitted to the distribution system operator within the aforesaid twelve (12) months, the eligibility for a FIT shall be subject to the beneficiary of the FIT applying to the Regulator for an extension, which extension shall not be of more than:

(a) twenty-four (24) months, in the case of feed in tariff applications approved prior to the 1st January 2023;

(b) twelve (12) months in the case of feed in tariff applications approved after the 1st January 2023:

Provided that any such extension may be granted only once. The aforesaid extensions, irrespective of the date of application for the extension, shall be reckoned to commence as from the first day immediately following the end of the mentioned first

twelve (12) month period allowed for the commissioning and submittal of the application for connection to the distribution system. The rate of the FIT which would be then applicable shall be that in force at the time of the submission of the application for said extension by the beneficiary or, if no such FIT has been established, the FIT originally allocated to the solar PV installation reduced by euro 0.005 per kWh.

7. The installation operator complies at all times with the obligations established in these regulations, the Network Code and all other applicable legislation.

8. *Deleted by Legal Notice 48 of 2025.*

9. The applicant for a feed-in tariff shall submit an application in such form and manner as required by the Regulator, and which shall contain, or be accompanied by, such information and documents as may also be required by the Regulator.

The application for the feed-in tariff shall contain at least the following information:

- (a) applicant's name and size of the undertaking, where applicable;
- (b) location of the project;
- (c) list of project costs;
- (d) kW DC rating of the solar photovoltaic installation;
- (e) a comprehensive declaration of the *de minimis* aid received by the applicant and as required by the application form.

SECOND SCHEDULE
(Regulations 3, 5, 6)

Amended by:
L.N. 271 of 2013;
L.N. 7 of 2014;
L.N. 155 of 2014;
XXXIV. 2014.56;
L.N. 416 of 2014;
XXV. 2015.41;
L.N. 264 of 2015;
L.N. 365 of 2015;
L.N. 415 of 2015;
L.N. 237 of 2016;
L.N. 346 of 2016;
L.N. 32 of 2017;
L.N. 104 of 2017;
L.N. 200 tal-2017;
L.N. 338 tal-2017;
L.N. 381 of 2017;
L.N. 149 of 2018;
L.N. 160 of 2018;
L.N. 2 of 2019;
L.N. 94 of 2020;
L.N. 417 of 2020;
L.N. 61 of 2021;
L.N. 69 of 2022;
L.N. 43 of 2023;
L.N. 35 of 2024;
L.N. 48 of 2025;
L.N. 101 of 2026.

1. In the case of electricity generated exclusively from solar photovoltaic installations -

- (a) when an application for the FIT scheme, meeting all the requirements, was submitted and approved by the Regulator for the periods of time

referred to in Table A; and

- (b) with the type of installation as shown in Table A, in Malta and Gozo and in accordance with regulation 3; and
- (c) exported to the distribution system up to an annual threshold calculated as kWp multiplied by 1600h; and
- (d) for a period of guaranteed payment of feed-in tariff of twenty (20) years; and
- (e) where the installation, and, or the photovoltaic panels and, or its inverter have not previously been used for the generation of electricity;

the feed-in tariff to be paid by the distribution system operator to an installation operator for electricity generated from solar photovoltaic installations and supplied to the distribution system operator shall be in accordance with the amounts per kWh, solar photovoltaic installation's individual capacity limits and maximum units allocated per annum for payment of each feed-in tariff as established in Table A:

FIT Scheme	Capacity of solar photovoltaic installation installed in any type of location	Feed-in Tariffs applicable between 1 st January 2026 and 30 th November 2026	Maximum units allocated per annum for FIT payment to PV systems approved under this FIT scheme between the 1 st January 2026 and the 30 th November 2026
	=>1kWp and <40kWp	15 cents per kWh	12.8 GWh per annum (8MWp)

In line with the first-come-first served principle, the Regulator reserves the right to stop accepting applications for a feed in tariff if, in its opinion, it has received sufficient applications which reach the total maximum units allocated for FIT payment to solar photovoltaic installations in terms of Table A and following publication of a notice to that effect in the web-site of the Regulator.

The receipt of any application by the Regulator, should not be construed as an acceptance or approval thereof and does not in any manner whatsoever give rise to any obligation on the part of the Regulator to allocate a feed-in tariff to the applicant.

The maximum units allocated in Table A for each FIT scheme do not include units from solar photovoltaic installations which pursuant to item 6 of the First Schedule benefit from an extension as provided in that item.

2. For the purposes of the First Schedule and this Schedule, "kWp" shall mean the total DC peak power of an array or arrays of photovoltaic modules as specified in the notification or authorisation application submitted to the Regulator for its approval under the Electricity Regulations (S.L.545.34).

3. Electricity sold to the distribution system operator and measured in kVAh shall be paid at the applicable feed-in tariff as that applied for electricity sold to the distribution system operator and measured in kWh.

4. In the case of electricity generated exclusively by solar photovoltaic installations -

- (a) approved for the FIT scheme from the 1st January 2026 until 30th November 2026; and
- (b) installed on residential or domestic premises in accordance with regulation 3; and
- (c) exported to the distribution system up to an annual threshold calculated as kWp multiplied by 1600h; and
- (d) where the installation operator benefits from a grant on the initial capital investment with regard to the solar photovoltaic installation, the feed-in tariff to be paid by the distribution system operator to an installation operator for electricity generated from solar photovoltaic installations and supplied to the distribution system operator shall amount to 10.5 cents per kWh for a period of guaranteed payment of the feed-in tariff of twenty (20) years for electricity generated from solar photovoltaic installations located in Malta and Gozo; and;
- (e) where the installation and, or the photovoltaic panels and, or its inverter have not previously been used for the generation of electricity.

THIRD SCHEDULE
(Regulation 7)

*Substituted by:
L.N. 155 of 2014.
Amended by:
XXXIV. 2014.56;
L.N. 264 of 2015;
L.N. 415 of 2015;
L.N. 237 of 2016.*

Repealed by Legal Notice 43 of 2023.

FOURTH SCHEDULE
(Regulations 4, 4A, 6, 9, 12)

*Amended by:
L.N. 155 of 2014;
XXXIV. 2014.56;
L.N. 171 of 2015;
XXV. 2015.41;
L.N. 369 of 2016;
L.N. 120 of 2017;
L.N. 159 of 2018;
L.N. 171 of 2019;
L.N. 36 of 2021;
L.N. 298 of 2021;
L.N. 88 of 2022.*

Repealed by Legal Notice 43 of 2023.
