VERŻJONI ELETTRONIKA

L.N. 190 of 2012

MALTA RESOURCES AUTHORITY ACT (CAP. 423)

Guarantees of Origin of Electricity from High Efficiency Cogeneration and Electricity, Heating and, or Cooling from Renewable Energy Sources (Amendment) Regulations, 2012

IN exercise of the powers conferred by article 28 of the Malta Resources Authority Act, the Minister for Resources and Rural Affairs, after consulting the Malta Resources Authority, has made the following regulations:-

Citation.

1. The title of these regulations is the Guarantees of Origin of Electricity from High Efficiency Cogeneration and Electricity, Heating and, or Cooling from Renewable Energy Sources (Amendment) Regulations, 2012, and these regulations shall be read and construed as one with the Guarantees of Origin of Electricity from High Efficiency Cogeneration and Electricity, Heating and, or Cooling from Renewable Energy Sources Regulations, hereinafter referred to as "the principal regulations".

S.L. 423.38

Amends regulation 2 of the principal regulations.

2. In sub-regulation (2) of regulation 2 of the principal regulations, in the definition "statement of entitlement", for the words "of a guarantees of origin certificate." there shall be substituted the words "of a guarantees of origin certificate;" and immediately after the definition "statement of entitlement" there shall be added the following new definition:

" "third party" means any natural or legal person, in favour of whom a guarantees of origin certificate has been transferred by the guarantees of origin certificate holder, issued to the latter in relation to electricity produced from high efficiency cogeneration and, or from renewable energy sources according to these regulations, and in terms of which such third party is able to fulfill his obligations as regards production and, or supply of electricity produced from high-efficiency cogeneration or that produced from renewable energy sources.".

Amends regulation 3 of the principal regulations.

3. In regulation 3 of the principal regulations, immediately after the words "with the requirements of these regulations." there shall be added the words "The Authority shall supervise the issuance, transfer and cancellation of guarantees of origin. The Authority shall have non-overlapping geographical responsibilities, and be independent of production, trade and supply activities.".

Amends regulation 5 of the principal regulations.

4. Immediately after sub-regulation (8) of regulation 5 of the principal regulations, there shall be added the following new sub-regulations:

(9) The Authority shall put in place appropriate mechanisms to ensure that guarantees of origin shall be issued, transferred and cancelled electronically and are accurate, reliable and fraud-resistant.

(10) The amount of energy from renewable sources corresponding to guarantees of origin transferred by an electricity supplier to a third party shall be deducted from the share of energy from renewable sources in its energy mix for the purposes of regulation 8(6) of the Electricity Market Regulations.

S.L. 423.22

(11) The Authority shall recognise guarantees of origin issued by other competent authorities in other Member States in accordance with these regulations exclusively as proof of the elements referred to regulation 1(2) and regulation 5(6) with particular reference to the Second Schedule. The Authority may refuse to recognise a guarantee of origin only when it has well-founded doubts about its accuracy, reliability or veracity. The Authority shall notify the Commission of such a refusal and shall give reasoned grounds for its decision.".

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