

L.N. 169 of 2020

**PUBLIC FINANCE MANAGEMENT ACT
(CAP. 601)**

**REGULATOR FOR ENERGY AND WATER SERVICES ACT
(CAP. 545)**

**Competitive Bidding Rules for Renewable Sources of Energy
Installations (Amendment) Regulations, 2020**

IN EXERCISE of the powers conferred by article 4 of the Public Finance Management Act, and in exercise of the powers conferred by article 37 of the Regulator for Energy and Water Services Act, the Minister for Finance and Financial Services and the Minister for Energy and Water Management after consultation with the Regulator for Energy and Water Services, has made the following regulations: -

1. (1) The title of these regulations is the Competitive Bidding Rules for Renewable Sources of Energy Installations (Amendment) Regulations, 2020, and these regulations shall be read and construed as one with the Competitive Bidding Rules for Renewable Sources of Energy Installations Regulations, hereinafter referred to as "the principal regulations".

Citation and commencement.

S.L. 545.31.

(2) These regulations shall come into force on the 1st January 2020.

2. Regulation 2 of the principal regulations shall be amended as follows:

Amends regulation 2 of the principal regulations.

(a) immediately after the definition "distribution system operator" there shall be added the following new definition:

" "electricity from renewable energy sources" means electricity produced by plants using only renewable energy sources, as well as the share in terms of calorific value of energy produced from renewable energy sources in hybrid plants which also use conventional energy sources. It includes renewable electricity used for filling storage systems, but excludes electricity produced as a result of storage systems;" and

(b) (i) in the Maltese version thereof, the definition "l-Att" shall be deleted;

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(ii) immediately after the definition "*premium*", there shall be added the following new definition:

" *prezz ta' offerta għal kull kWh*" tfisser il-prezz ta' offerta għal kull kWh offrut minn offerent fi proċess ta' offerti kompetittiv;"

Amends
regulation 3 of
the principal
regulations.

3. Sub-regulation (1) of regulation 3 of the principal regulations shall be amended as follows:

(a) the words "The method and amount of support for solar photovoltaic installations with a kWp capacity lower than 1000kWp shall continue to be determined administratively." shall be deleted; and

(b) the words "the 1000 kWp threshold" shall be substituted by the words "the capacity of a renewable energy installation".

Amends
regulation 4 of
the principal
regulations.

4. In regulation 4 of the principal regulations, the proviso thereof shall be substituted by the following new proviso:

"Provided that the payment of any price per kWh to an undertaking that has benefited from earlier unlawful aid granted by Malta and declared incompatible by a Decision of the European Commission shall be suspended until such time as that undertaking has reimbursed the total amount of unlawful and incompatible aid and the corresponding recovery interest."

Amends
regulation 7 of
the principal
regulations.

5. In sub-regulation (3) of regulation 7 of the principal regulations, the word "extensions" shall be substituted by the word "extension".

Amends
regulation 17 of
the principal
regulations.

6. In regulation 17 of the principal regulations, the words "as a minimum on a yearly basis" shall be substituted by the words "as determined by the Minister".