

L.N. 236 of 2025

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

Electricity (Amendment No. 3) Regulations, 2025

IN EXERCISE of the powers conferred by article 37 of the Regulator for Energy and Water Services Act, the Minister responsible for energy and water services, after consultation with the Regulator for Energy and Water Services, has made the following regulations:-

Citation. **1.** The title of these regulations is the Electricity (Amendment No. 3) Regulations, 2025 and these regulations shall be read and construed as one with the Electricity Regulations, hereinafter referred to as the "principal regulations".

S.L. 545.34.

Amends
regulation 2 of
the principal
regulations.

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

(a) immediately after the definition "non-frequency ancillary service" there shall be added the following new definition:

"organised electricity marketplace" means an electricity exchange, an electricity broker, an electricity capacity platform or any other system or facility in which multiple third-party buying or selling interests in wholesale electricity products interact in a manner that may result in a transaction and which operates in accordance with transparent, non-discriminatory, and market-based principles, subject to applicable regulatory oversight where required:

Provided that an organised marketplace shall be deemed accessible to a producer when it provides a non-restrictive and technically feasible, and transparent mechanism for such producer to offer and sell its electricity under fair, non-discriminatory and commercially reasonable terms;"

(b) in the Maltese version only, in the definition "swieq tal-elettriku" the words "l-iskambji tal-enerġija elettrika" shall be substituted by the words "electricity exchanges".

3. In the Maltese version only, in regulation 36(2)(g) of the principal regulations, the words "skambji ta' enerġija" shall be substituted by the words "power exchanges".

Amends regulation 36 of the principal regulations.

4. In the Maltese version only, in regulation 47(1)(o) of the principal regulations the words "l-iskambji tal-elettriku" shall be substituted by the words "electricity exchanges".

Amends regulation 47 of the principal regulations.

5. In the Maltese version only, in regulation 49(2)(a) of the principal regulations the words "skambji kongunti tal-elettriku" shall be substituted by the words "electricity exchanges kongunti".

Amends regulation 49 of the principal regulations.

6. Sub-regulation (1) of regulation 54A of the principal regulations shall be substituted by the following new sub-regulation:

Amends regulation 54A of the principal regulations.

"(1) The distribution system operator shall offer to purchase all electricity generated and exported to the grid from any approved installation generating electricity from renewable energy or high-efficiency cogeneration plant at the proxy for the market price determined in the Fourth Schedule, until such time as any organised electricity marketplace in which such producers are able to sell their electricity becomes accessible:

Provided that the distribution system operator shall continue to offer to purchase all electricity generated and exported to the grid from any approved small scale installation generating electricity from renewable energy thereafter:

Provided further that for the purposes of this regulation an installation generating electricity from renewable energy shall be considered small scale if its capacity is below:

(a) 400kW for power-generating facilities commissioned until 31st December 2025; or

(b) 200kW for power-generating facilities commissioned from 1 January 2026."

7. In the Maltese version only, in item 5 of the First Schedule to the principal regulations, the words "elettriku skambjat" shall be substituted by the words "electricity exchanges" and the words "mill-iskambju" shall be substituted by the words "mill-exchange".

Amends the First Schedule to the principal regulations.

8. Part A of the Third Schedule to the principal regulations, shall be substituted by the following new Part:

Amends the Third Schedule to the principal regulations.

"PART A. New generation capacity

1. A producer who:

(a) produces electricity solely for his own use; and

(b) is not connected in parallel to the distribution system;

and

(c) has installed a total peak generation capacity of less than 1500 kVA;

shall be exempted from the requirement of an authorisation to construct the new generation capacity and from the requirement to hold a licence.

2. A producer producing electricity solely from renewable energy or cogeneration plant, with a total continuous steady state 230/400V AC rating up to 3.68kW (16 Amps) on any phase, or up to 4.6kW (20 Amps) on any phase, when the generation capacity is equipped with automatic volt-var control, shall be exempted from the requirement of an authorisation to construct the new generation capacity and from the requirement to hold a licence but shall still be required to notify the Regulator, in such form and manner as required by the Regulator prior to construction of such new generation capacity and submit to the Regulator such information as the Regulator may request from time to time."