

Pursuant to Article 87, paragraph 6 of the Energy Law ("Official Gazette of RS" no. 145/14) and Article 42 paragraph 1 of the Law on Government ("Official Gazette of RS" no. 55/05, 71/05 – correction, 101/07, 65/08, 16/11, 68/12 – Constitutional Court, 72/12, 7/14 - Constitutional Court and 44/14),

the Government adopts

## **Regulation on Guarantee of Origin**

"Official Gazette of the Republic of Serbia" no. 82, 8<sup>th</sup> of September 2017

### I INTRODUCTORY PROVISIONS

#### **Article 1**

This Regulation describes, in more detail, the content of the guarantee of origin, the procedure for issuing, transferring and end of life cycle of the guarantee of origin, the manner of registry administration and maintenance, the manner of submitting the data on the produced electricity measured at the delivery point to the transmission, distribution and closed distribution system, supervision, as well as other issues in accordance with the law.

#### **Article 2**

Some terms used in this Regulation have the following meaning:

- 1) the producer is an energy entity that has the status of producer from renewable energy sources in accordance with the Energy law;
- 2) the production device is a facility for the production of electricity from renewable energy sources for which the producer has acquired the status of producer from renewable energy sources in accordance with the Energy law;
- 3) the system is a transmission system, a distribution system and a closed distribution system;
- 4) the owner of the guarantee of origin is an Account Holder in the Guarantees of Origin Registry (hereinafter: Registry) whose user account contains his guarantee of origin.

Other terms used in this Regulation have the meanings defined by the Energy law.

## II CONTENTS OF GURRANTEE OF ORIGIN

### 1. Subject of the guarantee of origin

#### Article 3

The guarantee of origin is issued to the producer for a unit net quantity of 1 MWh of produced electricity from renewable energy sources in accordance with the Energy law, this Regulation and the Domain protocol for Serbia.

The guarantee of origin referred to in paragraph 1 of this Article shall be issued for the produced electricity from renewable energy sources delivered to the system after the registration of the producer and his production device is successfully completed in the Registry.

The period of electricity production for which the guarantee of origin referred to in paragraph 1 of this Article is issued shall be the calendar month.

If the measured net quantity of produced electricity from paragraph 1 of this Article is not an integer value, it is possible to issue a guarantee of origin for the quantity of electricity produced corresponding to the first lower integer value than the measured net quantity of electricity.

The difference between the measured net quantity of electricity and the first integer value less than the measured net quantity of electricity is considered to have been produced in the next calendar month.

The subject of the guarantee of origin cannot be electricity for which a guarantee of origin has already been issued.

### 2. Elements of the guarantee of origin

#### Article 4

The guarantee of origin contains:

- 1) name, location, type and production capacity;
- 2) the date of commissioning of the energy facility;
- 3) the fact that the guarantee of origin relates to electricity;
- 4) the start date and the end date of the electricity production for which the guarantee of origin is issued;
- 5) information on the use of investment support and type of support for the production capacity;
- 6) information on whether the incentive measures and types of incentives have been used;
- 7) date and issuance country of the guarantee of origin and a unique identification number;
- 8) information on the issuer of the guarantee of origin.

## III PROCEDURE FOR ISSUANCE, TRANSFER AND END OF LIFE CYCLE OF THE GUARANTEE OF ORIGIN

### 1. General Provision

#### Article 5

Guarantees of origin are issued, transferred and cease to be valid by entering into the Registry, or by deleting the entry from the Registry, unless otherwise is provided by this Regulation.

### 2. Issuance of a guarantee of origin

#### Article 6

The guarantee of origin is issued by the transmission system operator on the basis of the producer's request and data on the electricity production.

The producer's request for the issuance of a guarantee of origin shall be submitted electronically in a manner determined by the transmission system operator.

The data on the produced electricity to the transmission system operator shall be submitted by the distribution system operator, or the operator of closed distribution system, depending on which system the producer's production device is connected.

The transmission system operator shall obtain the data on the produced electricity by producers from production devices connected to the transmission system ex officio.

The transmission system operator cannot issue the guarantee of origin referred to in paragraph 1 of this Article if the producer has not previously registered the production device, in which the electricity that is subject of the issuing request is produced, in the Registry.

The content of the request for issuance of a guarantee of origin, the manner of the request submission and required conditions and the manner of issuing the guarantee of origin shall be determined by the transmission system operator in the Domain protocol for Serbia.

### 3. Transfer of guarantee of origin

#### Article 7

The guarantee of origin is transferable within the period of its validity only between the users of the Registry, and also between the user of the Registry and the users of the registers of guarantees of origin of other countries in accordance with Article 83, paragraph 1 of the Energy law.

The conditions and the manner of transfer of the guarantee of origin shall be determined by the transmission system operator in the Domain protocol for Serbia.

### 4. End of life cycle of the guarantee of origin

#### Article 8

The guarantee of origin shall not be valid if:

- 1) it is cancelled;
- 2) one year period expires from the last day of the electricity production for which it was issued;

3) the transmission system operator withdraws the guarantee of origin.

End of life cycle of the guarantee of origin shall be written in the Registry.

## **5. Cancellation of the guarantee of origin**

### **Article 9**

The cancellation of a guarantee of origin, for the purposes of this Regulation, is carried out in order to provide an evidence to the end consumer, by the supplier with whom it has concluded the supply contract, that a certain amount of consumed electricity is produced from renewable energy sources.

The supplier referred to in paragraph 1 of this Article may cancel the guarantee of origin if he is registered in the Registry and if he, at the moment of submitting the request for the cancellation of guarantee of origin, is the owner thereof.

The supplier referred to in paragraph 1 of this Article shall initiate the procedure for cancellation of guarantees of origin by submitting a request for the cancellation of a guarantee of origin to the transmission system operator.

The guarantee of origin can only be cancelled once.

The transmission system operator shall determine the conditions and manner of cancellation of the guarantee of origin in the Domain protocol for Serbia.

### **Article 10**

If the Republic of Serbia with an international agreement with a non-member state of the European Association of Issuing Bodies provides the mutual recognition of guarantees of origin in accordance with Article 83, paragraph 1 of the Energy law, and there is no technical possibility to export the guarantee of origin to that country, guarantee of origin may be cancelled in the Registry for the needs of the end consumer from that country in accordance with the provisions of this Regulation, unless otherwise is provided by an international agreement.

If the Republic of Serbia with an international agreement with a non-member state of the European Association of Issuing Bodies provides the mutual recognition of guarantees of origin in accordance with Article 83, paragraph 1 of the Energy law, and there is no technical possibility to import the guarantee of origin into the Registry, a guarantee of origin issued in that country may be cancelled in the registry of guarantees of origin of that country for the purpose of providing an evidence to the end consumer in the Republic of Serbia that a certain amount of consumed electricity is produced from renewable energy sources, unless otherwise is provided by an international agreement.

Cancellation statement issued for the guarantees of origin referred to in paragraph 2 of this Article shall be used by the supplier of end-consumer in accordance with the Disclosure regulation.

## **6. Withdrawal of the guarantee of origin**

### **Article 11**

The transmission system operator shall withdraw the guarantee of origin on the basis of the request of the owner of the guarantee of origin and in case of irregularities.

The irregularity referred to in paragraph 1 of this Article implies a violation of the obligations of the owner of the guarantees of origin determined by the Energy law, this regulation and the Domain protocol for Serbia.

The irregularity referred to in paragraph 1 of this Article also includes incorrect data used in the procedure of issuing a guarantee of origin.

The transmission system operator shall provide the owner of the guarantee of origin with a notice of withdrawal of the guarantee of origin.

The notice referred to in paragraph 4 of this Article shall contain in particular:

- 1) number of withdrawn guarantees of origin;
- 2) a reasoning containing the grounds and reasons for the guarantee of origin withdrawal.

The transmission system operator has no obligation to recover administrative costs in connection with the withdrawn guarantee of origin.

After the withdrawal of the guarantee of origin, the guarantee of origin cannot be transferred nor cancelled.

The transmission system operator shall determine in more detail the conditions and manner of withdrawing the guarantee of origin in the Domain protocol for Serbia.

## IV REGISTRY OF GUARANTEES OF ORIGIN

### 1. Establishment and administration of the Registry

#### Article 12

The transmission system operator shall establish and maintain the Registry in accordance with the Energy law, this Regulation and the Domain protocol for Serbia.

The Registry is kept in electronic form.

### 2. Users of the Registry and user account database

#### Article 13

Users are registered into the Registry for which the user account database is created.

Producers, Wholesale suppliers and Suppliers are registered into the Registry in accordance with this Regulation and the Domain protocol for Serbia.

A user account is opened for each user, which in particular contains:

- 1) data on the user;
- 2) data on the net electricity generation for the production device, if the user of the Registry is a producer;
- 3) data on guarantees of origin;
- 4) other data in accordance with the Energy law, this Regulation and the Domain protocol for Serbia.

### **3. User registration in the Registry**

#### **Article 14**

Persons referred to in Article 13, paragraph 2 of this Regulation shall be registered in the Registry by the conclusion of the Standard terms and conditions with the transmission system operator.

Standard terms and conditions in form of Contract referred to in paragraph 1 of this Article shall be concluded in accordance with Application form for opening an account in the Registry which shall be submitted to the transmission system operator.

The Application form referred to in paragraph 2 of this Article shall be submitted on the form determined by the transmission system operator in the Domain protocol for Serbia.

If the Application form referred to in paragraph 2 of this Article is submitted by the producer, he shall, along with the Application form, submit a decision on obtaining the status of producer from renewable energy sources.

If the Application form referred to in paragraph 2 of this Article is submitted by a Wholesale supplier or by a Supplier, the request shall be submitted with a decision on issuance of a license for Wholesale supply, or a decision on issuance a license for electricity supply.

### **4. Opening a user account**

#### **Article 15**

The transmission system operator shall open a user account for the user of the Registry after the conclusion of the Contract referred to in Article 14, paragraph 1 of this Regulation.

The user of the Registry is obliged to notify the transmission system operator of any change in the data submitted in the Application for opening a user account.

The conditions and the procedure for registering a user, opening a user account, as well as the content and form of the Contract are determined by the transmission system operator in the Domain protocol for Serbia.

### **5. Closing an account in the Registry**

#### **Article 16**

A user account shall be deleted from the Registry if the transmission system operator closes the user's account.

The transmission system operator closes the user account:

- 1) at the request of the registered user;
- 2) in accordance with the termination of the decision on obtaining the status of producer from renewable energy sources, on which the Ministry of mining and energy shall notify the transmission system operator without delay;
- 3) in accordance with the termination of the license of the Wholesale supplier or Supplier;
- 4) if the registered user fails to fulfil the obligations prescribed by the Energy law, this Regulation and the Domain protocol for Serbia.

All the guarantees of origin, issued until the Application for closing an account is submitted, are stored in the Registry until the expiration of the validity period.

The terms and conditions for the removal of users from the Registry are determined by the transmission system operator in the Domain protocol for Serbia.

## **6. Public Reports on guarantees of origin from the Registry**

### **Article 17**

The transmission system operator shall publish relevant information on the guarantees of origin on its website, in particular:

- 1) list of users of the Registry;
- 2) list of registered production devices;
- 3) number of issued guarantees of origin;
- 4) number of transferred guarantees of origin in the Republic of Serbia;
- 5) number of transferred guarantees of origin from the Republic of Serbia abroad;
- 6) number of transferred guarantees of origin from abroad to the Republic of Serbia;
- 7) number of cancelled guarantees of origin;
- 8) the number of guarantees of origin that have expired.

## **7. Public information about the production devices owned by the producers that are Registry users**

### **Article 18**

The transmission system operator shall publish relevant information on the producers' production devices that are users of the Registry on its website or on the public page of the Registry, and in particular:

- 1) the name of the production device;
- 2) installed power of the production device;
- 3) the date of commissioning of the production device;
- 4) the type of renewable energy used for electricity generation.

# V THE METHOD FOR DELIVERING DATA ON PRODUCED ELECTRICITY MEASURED AT THE DELIVERY POINT INTO THE SYSTEM

## **1. Obligations of the distribution system operator and the operator of closed distribution system**

### **Article 19**

The distribution system operator and the operator of closed distribution system are obliged to provide the data, by the 14<sup>th</sup> day of the current month, for the electricity produced in the previous month, to the transmission system operator.

For the purposes of opening a user account, the distribution system operator, and the operator of closed distribution system, are obliged to provide the data on production devices connected to the distribution or closed distribution system, to the transmission system operator, within seven working days from the receipt of the request from the transmission system operator.

For the accuracy of the data provided in paragraph 1 of this article, are responsible the system operators on which system the producers production device is connected.

For the accuracy of the data entered into the Registry, from paragraph 1 of this Article, the transmission system operator shall be responsible.

## **2. The form of data delivery to the transmission system operator**

### **Article 20**

The distribution system operator, and the operator of closed distribution system, shall deliver the data referred to in Article 19 of this Regulation to the transmission system operator in electronic form on the prescribed form, which the transmission system operator determines and publishes on its official website.



## VI DOMAIN PROTOCOL FOR SERBIA

### Article 21

The transmission system operator shall regulate the Domain protocol for Serbia in accordance with this Regulation and the standards of the European Association of Issuing Bodies (AIB).

Domain protocol for Serbia specify in particular:

- 1) the manner of registration of the users of the Registry;
- 2) Standard terms and conditions in the form of Contract with the users of the Registry;
- 3) Issuing, transferring, cancelling and withdrawal of the guarantee of origin;
- 4) Publication of public information;
- 5) and all other issues necessary for the Registry maintenance and administration.

The transmission system operator brings the Domain protocol for Serbia both in Serbian and English language.

## VII SUPERVISION

### Article 22

The Energy Agency of the Republic of Serbia (the Agency) supervises the transmission system operator, distribution system operator, suppliers and other entities (hereinafter: the supervised entity) from the aspect of fulfilling the obligations determined by the Energy law, this Regulation and the Domain protocol for Serbia.

The Agency performs the supervision over the transmission system operator from the aspect of Registry administration and maintenance.

From the aspect of supervision, the Agency is authorized to:

- 1) request, as necessary, from the supervised entity a report that contains an overview of the implementation of the Energy law and this Regulation;
- 2) request from the supervised entity to provide all the necessary data and documentation for further consideration;
- 3) Assess the state of fulfilment of obligations and performance of operations, warn on the detected irregularities, determine the measures and the deadline for their resolution.

## VIII FINAL PROVISIONS

### **Article 23**

By entering into force of this Regulation, the Rules on the Guarantee of Origin for Electricity produced from from Renewable Energy Sources ("Official Gazette of RS", No. 24/14) shall cease to apply.

The transmission system operator shall be obliged to prepare and adopt Domain protocol for Serbia within 12 months from the date of entry into force of this Regulation.

### **Article 24**

This Regulation shall enter into force on the eighth day after its publication in the "Official Gazette of the Republic of Serbia".

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Belgrade, 7<sup>th</sup> of September 2017