

**HELLENIC REPUBLIC  
MINISTRY OF DEVELOPMENT  
DIRECTORATE GENERAL FOR ENERGY  
RENEWABLE ENERGY SOURCES AND ENERGY SAVING DIRECTORATE**

**Law 3468/2006**

**Generation of Electricity using Renewable Energy Sources  
and High-Efficiency Cogeneration of Electricity and Heat  
and Miscellaneous Provisions**

**(Official Gazette A' 129/27.06.2006)**

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**Generation of Electricity using Renewable Energy Sources and High-Efficiency**  
**Cogeneration of Electricity and Heat and Miscellaneous Provisions**  
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**CHAPTER A**

**Article 1**

**Purpose**

The purpose of this law is on one hand, the transposition of Directive 2001/77/EC of the European Parliament and Council of September 27, 2001, *on the promotion of electricity produced from renewable energy sources in the internal electricity market* (OJ L 283/27.10.2001) and, on the other hand, the promotion, by granting priority to the generation of electrical power from Renewable Energy Sources (RES) and high-efficiency co-generation of electricity and heat plants in the internal electricity market, on the basis of rules and principles.

**Article 2**

**Definitions**

A. For the purposes of this law, the following terms have the meaning assigned below:

1. *Licensee*: The holder of an authorization for power generation using RES or high-efficiency cogeneration of electricity and heat.

2. *Renewable energy sources (RES)*: The non-fossil renewable energy sources as wind energy, solar energy, wave energy, tidal energy, biomass, gases released in sanitary landfills and biological treatment plants, biogases, geothermal energy, and hydraulic energy utilized in hydroelectric stations.

3. *Competent authority of a member-state*: A competent body that is not involved electricity generation and distribution and which has been appointed for overseeing the issuing process of Guarantees of Origin.

4. *Autonomous electricity producer using RES*: The producer who generates electric power using RES and whose station is not connected to the System or the Network.

5. *Autonomous Electrical System of Islands not connected to the mainland's inter-connected System*: The electrical system which supplies the electricity consumers of one or more islands connected to each other and which system is not connected to the inter-connected Network or the System and includes, specifically, power generation plants, low, medium and high-voltage grid, voltage stepping-down substations and any other equipment necessary for the operation of that system.

6. *Auto-producer of electricity using RES or high-efficiency cogeneration of electricity and heat*. A producer who generates electricity from RES or high-efficiency cogeneration of electricity and heat plants chiefly for its own use and supplies energy surplus, if any, to the System or the Network.

7. *Biofuel*: Thee liquid or gaseous fuel produced from biomass and more specifically:

a) *Biodiesel*: (oil of biological origin): Methyl-esters of fatty acids (FAME) produced from vegetable or/and animal oils and fats, of diesel quality, to be used as biofuel.

b) *Bioethanol*: ethanol produced from biomass and/or the biodegradable fraction of waste matter to be used as biofuel

c) *Biogas*: a fuel gas produced from biomass and/or from the biodegradable fraction of industrial and domestic waste matter, that can be purified and upgraded to natural gas quality, to be used as biofuels, or the wood gas.

d) *Biomethanol*: methanol produced from biomass, to be used as a biofuel

e) *Biodimethylether*: dimethylether produced from biomass, to be used as a biofuel

f) *Bio-ETBE*: ethyl-tertio-butyl-ether (ETBE) produced on the basis of bioethanol to be used as a biofuel. The percentage by volume of bio-ETBE that is calculated as biofuel is 47 per cent of its total amount.

g) *Bio-MTBE*: methyl-tertio-butyl-ether (MTBE) produced on the basis of bio-methanol to be used as a biofuel. The percentage by volume of bio-MTBE that is calculated as biofuel is 36 per cent of its total amount.

h) *Synthetic biofuels*: synthetic hydrocarbons or mixtures of synthetic hydrocarbons, produced from biomass.

i) *Biohydrogen*: hydrogen produced from biomass, and/or from the biodegradable fraction of industrial and domestic waste matter, to be used as biofuel

j) *Pure vegetable oils*: Oils produced from oil plants through pressing, extraction or comparable procedures, either crude or refined but chemically unmodified, if they are compatible with the type of equipment or engine employed and the corresponding gaseous emission requirements according to the laws in force.

8. *Biomass*: The biodegradable fraction of products, waste and residues from agriculture, including vegetal and animal substances, forestry and related industrial activities, as well as the biodegradable fraction of industrial waste matter and municipal sewage and garbage.

9. *Network*: The electrical power distribution grid owned by the Public Power Corporation (PPC S.A.) and installed on Greek territory and composed of the medium and low-voltage lines and distribution installations, as well as the high-voltage lines and installations having been incorporated therein. With the exception of the Network of the islands not connected to the mainland's interconnected system, the Network is connected to the System through the high-voltage and medium-voltage substations. The boundary between System and Network is the interruption means positioned at the high-voltage side of the power transformer and which means is a part of the Network. With regard to areas whose high-voltage lines belong to a Network, the boundary between System and Network shall be established by virtue of a decision of the Minister of Development following a recommendation of the System Operator and the Network Operator and an opinion from RAE, as well as of the owners of the System and the Network.

10. *Guarantee of Origin or Guarantee*. The document issued by the body in charge of issuing and certifying the production of a specific amount of electricity using RES.

**11. *Installed capacity of RES plant:*** The sum of the nominal electrical power capacity of all generating units making up the RES plant. As nominal capacity of each generation unit is defined the maximum electrical power capacity of the unit as stated in the relevant certification documents of the manufacturers of these units and by the bodies responsible for the certification of the generation units, provided that the unit operates without interruption for at least fifteen minutes.

**12. *Electricity produced from RES:*** The electrical power produced in:

a) Power generation plants using one or more forms of RES.

b) Cogeneration plants using one or more forms of RES.

c) Hybrid stations in the meaning of par. 25 as far as the part of electricity produced from RES. That energy also includes the energy used for filling the storage systems of the station, provided that it is produced from RES, and not including the electricity produced in the storage systems of the station.

**13. *Domestic consumption of electricity:*** Domestically produced energy including that of auto-producers, to which imports are added and exports subtracted (gross domestic consumption of electrical power)

**14. *Maximum production output of RES plant:*** The electrical output allowed to be supplied up to maximum by a RES plant at the connection point to the Network. An overrun of output will be allowed up to 5 percent, provided that the overrun does not occur frequently as there shall be put forth in the Production Authorizations Regulation to be issued pertaining to article 5 par. 3 hereof. For controlling the overrun, maximum output is considered to be the mean of the output values measured during a fifteen- minute period.

**15. *Non-interconnected islands:*** The islands in Greek territory, whose electricity distribution grid is not connected to the mainland's System and the distribution Network.

**16. *Assurance mechanism:*** The mechanism through which the body in charge of inspection ensures the reliable functioning of the guarantee system, as well as the accuracy and authenticity of the guarantees issued.

**17. *Directive:*** The Directive 2001/77/EC of the European Parliament and Council of September 27, 2001, on the promotion of electricity produced from renewable energy sources in the internal electricity market.

**18. *Producer from RES or high-efficiency cogeneration of electricity and heat:*** The producer that generates electricity from Renewable Energy Sources (RES) or from high-efficiency cogeneration plants of electricity and heat.

**19. *Cogeneration of electricity and heat :*** The simultaneous production of thermal and electrical and/or mechanical energy in a single process.

**20. *High-efficiency cogeneration of electricity and heat:*** The cogeneration which ensures primary energy saving of at least 10 percent in comparison with the thermal and electrical energy produced in the framework of separate processes, as well as the production from small and very small-scale cogeneration units ensuring saving of primary energy irrespective of the saving percentage. The calculation of primary energy savings, whenever required, shall be done according to case b of annex III to Directive 2004/8/EC (L.52).

21. *Small-scale cogeneration*: The cogeneration unit with installed electrical capacity less than one (1) MW<sub>e</sub>.

22. *Very small-scale cogeneration*: The cogeneration unit with installed electrical capacity less than fifty (50) kW<sub>e</sub>.

23. *System*: The high-voltage lines, the interconnections on Greek territory, the overland or sea and all relative installations, the control equipment and installations required for the trouble-free, safe and uninterrupted transmission of electricity from a generation plant to a substation, from a substation to another substation, or to or from any interconnection. The System does not include the power generation facilities, the high-voltage lines and facilities that have been incorporated into the Network, as well as the Network of the islands not connected to the mainland's interconnected System.

24. *Guarantee System*: The set of the rules and procedures established in this law, as well as the regulatory acts issued by virtue of its enabling dispositions, for the issue of the guarantees of origin of electricity produced from Renewable Energy Sources.

25. *Hybrid station*: Every power generation plant that:

a) Uses at least one form of RES.

b) The total amount of electricity taken in from the Network on an annual basis does not exceed 30 percent of the total amount of energy consumed for the filling of the storage system of that station. Energy, which the station absorbs from the Network according to the preceding section, is defined as the difference between the energy measured when it enters the station and the energy supplied directly to the Network from RES units of the hybrid stations. That difference is calculated on an hourly basis in the case of the islands not connected to the mainland's interconnected System. If solar energy is utilized by using a technology other than that of the photovoltaics, conventional energy may also be used, not supplied to the Network, provided that the use of that energy is considered necessary for the exploitation of solar energy. On an annual basis, the conventional energy used shall not exceed 10 percent of the totally produced energy from the units utilizing solar energy.

c) The maximum output of the units of the RES station should not exceed the installed capacity of the storage units of that station increased by 20 percent at the most.

26. *Issue bodies*: The bodies appointed in par. 1 of article 16 hereof.

27. *Inspection body*: The body appointed in par. 2 of article 16 hereof.

28. With respect to any other matter, for the enactment of this law applicable are the definitions of article 2 of Law 2773/1999 (Official Gazette A' 286) as in force at each time, as well as of the relevant provisions of the laws in force and the regulatory acts enacted by virtue of their enabling dispositions.

### **Article 3**

#### **Production authorization**

1. For the production of electricity using RES and high-efficiency cogeneration of electricity and heat a relevant authorization is required.

That authorization shall be granted by the Minister of Development following an opinion from RAE on the basis of the criteria listed below:

- a) The national security
- b) The protection of public health and safety
- c) The overall safety of the facilities and the relevant equipment of the System and Network.
- d) The energy efficiency of the project for which a relevant application is filed as that efficiency is established for RES projects from measurements of the RES potential and for high-efficiency cogeneration of electricity and heat, from their energy balances. In particular, for wind potential, the submitted measurements should have been carried out by certified organizations according to standard DIN-EN ISO/IEC 17025 of 2000, as in force at each time.
- e) The degree of maturity of the project implementation process as indicated by the relevant permits or approvals granted by competent services, studies having been prepared, as well as any other pertinent data.
- f) The establishing or the capacity for establishing the right of use of the land where the plant will be installed.
- g) The assurance or the capacity for ensuring the right of use of the land where the plant will be installed.
- h) The ability of the applicant to implement the project on the basis of its financial, scientific and engineering competence. In the event that the applicant is a newly established legal person, that competence shall be assessed according to the persons participating therein as partners or shareholders.
- i) The safeguarding of supplying public utility services and the protection of customers.
- j) The protection of the environment according to the laws in force and the special planning framework for RES and sustainable development.

2. Prior to delivering its recommendation to the Minister of Development, RAE may cooperate with the Operator of the System, the Network or the Network of the islands not connected to the mainland's interconnected system for the preliminary selection of the point and mode of connection of the station to the System or the Network.

RAE shall examine the fulfillment of the criteria laid down in cases a-h of par. 1 hereof and prior to delivering its opinion shall forward the Preliminary Environmental Impact Study, in the cases it is necessary according to the laws in force, to the authority having jurisdiction over environmental permitting. That authority shall render an opinion on the Preliminary Environmental Impact Assessment and shall forward its opinion to RAE no later than sixty (60) days from the date that the file of the Preliminary Environmental Study was completed.

RAE after the rendering of the opinion according to the previous section shall deliver its own opinion to the Minister of Development no later than four (4) months from the date of having been served the publication of the application as laid down in the decision to be issued according to paragraphs 1 and 3 of article 5 hereof provided that the application file

is complete or from the date of it having been completed in the event that this completion is done after the notification according to the same decision.

The Minister of Development must issue a relevant decision no later than fifteen (15) days after having taken delivery of the opinion of the RAE.

3. The production authorization from RES or high-efficiency cogeneration of electricity and heat shall include the following data:

- a) Its holder, being an independent producer or auto-producer, legal or natural person.
- b) The installation location of the power plant.
- c) The installed capacity and the maximum generation output.
- d) The technology applied or the type of RES in case the granting is done for a RES plant.
- e) Its duration.
- f) The person or persons who have the financial capacity to fund and implement the project.

4. The production authorization shall be granted for a period of up to twenty five (25) years and may be renewed for up to an equal time. The production authorization shall be revoked within twenty four (24) months and, in the cases of par. 9, within thirty six (36) months, from the granting of the production authorization, if an installation permit has not been granted.

In the period of twenty four (24) months there shall not be included:

- (a) the time-period during which an injunction has barred the performance of any permit or approval required for the granting of the installation permit.
- (b) the delay associated with the issue of the installation permit, provided that the delay cannot be attributed in a confirmed way to an omission or fault of any kind of the holder of the production authorization.

In the above cases, the twenty four (24) month period may be extended for as long as the reasons stated above continue to exist, provided that an application of the holder of the production authorization shall have been submitted to RAE before the lapse of that period.

None of the reasons for extension of the above period shall be the cause for the amendment of a production authorization due to change of the ownership structure of its holder, change in the location of installation, changes in the installed capacity, or the maximum power output, as well as the transfer of the authorization to another person.

5. The authorization for the production of power using RES or through high-efficiency cogeneration of electricity and heat may be revised by virtue of a decision of the Minister of Development following an opinion from RAE based on an application by its holder. The production authorization may be revised in case of modification of its elements referred to in par. 3 with the exception of the case e) of the same paragraph.

No modification of the electricity production authorization is required in case where:

a) The installed capacity or the maximum power output of a power generation plant connected to the System or the Interconnected System shall change only once and up to 10 percent without any increase in the area of the lot as a result of that change. In that case, the installation permit provided for in article 8 hereof shall be modified following a reformulation of the connection terms by the Operator of the System or the Network. The provision of this paragraph shall not apply to areas with congested grids. The capability of absorption of energy in areas with congested grids shall be established by virtue of a decision by RAE following a recommendation by the System or Network Operator. That decision shall be made public at RAE's care via Internet or any other proper means.

b) The domicile or registered office of the licensee changes.

In cases when no amendment of the production authorization is required, the licensee must inform RAE and the Minister of Development of any relevant changes. If he omits to do so, the licensee shall be subject to the penalties provided for in article 22 hereof.

For any amendment concerning the production authorization, RAE shall deliver its opinion to the Minister of Development no later than sixty (60) days from the publication of the relevant application as put forth in paragraphs 1 and 3 of article 5 hereof, provided that the file accompanying the application is complete or as of the date of its completion whenever that completion is brought to end after the publication of the application according to the aforementioned decision.

c) The changes in the data of the production authorization, as put forth in par. 3, shall not affect the evaluation of the criteria provided for in par. 1 hereof.

6. The holder of the production authorization may, following an opinion from RAE, transfer its authorization to another person provided that criteria laid down in par. 1 hereof are met.

7. By the granting of the authorization for the production of power using RES or through high-efficiency cogeneration of electricity and heat in the islands not connected to the mainland's interconnected System, or in areas with congested electrical grids, or other restraints related to the installation of RES plants, the applications of auto-producers of power using RES shall be given priority over other applications for power generation using RES.

8. The granting of authorizations for the production of power using RES or through high-efficiency cogeneration of electricity and heat shall not release its holder from the obligation of being granted other permits or approvals provided for in the laws in force, as the approval of environmental terms and the installation and operating permits. The granting of a production authorization shall constitute a prerequisite for the submission of an application for the granting of environmental impact study approval. Even prior to the granting of the production authorization, applications will be allowed to be considered for the delivery of opinions by the competent services with regard to the installation of power generation plants as these opinions are required in the context of the environmental permitting according to the laws in force.

9. By the evaluation of the applications to be granted a production authorization for the generation of power from RES and high-efficiency cogeneration of electricity and heat where these applications are submitted by legal persons in whose capital stock or equity at

least twenty (20) persons participate, each of which has a stake up to a hundred thousand (100,000) Euro at the most, the following shall apply:

a) The financial capability for the implementation of the project according to case g) of par. 1 hereof shall be fixed at percentage less than that established by virtue of the decision of the Minister of Development issued according to par. 3 of article 5 hereof. That percentage cannot be less than 15 percent of the budgeted construction cost of the project.

b) The participation in the legal person of natural persons being registered in the first or second-level local government or the participation of enterprises established by these local governments, or local associations or non-profit civil partnerships having their registered offices within the confines of the relevant local government where the plant will be installed shall be taken into account.

10. By the evaluation process of the applications with regard to the granting of production authorizations, as well as verifying observance of the terms included in these authorizations, RAE may collaborate with the Centre for Renewable Energy Sources in the framework of a relevant agreement for the supply by the latter of technical consultant services under the supervision and in accordance with the instructions of the former.

#### **Article 4**

##### **Exemptions from the obligation of being granted a production authorization**

1. Those persons who own electricity production installations are exempted from the obligation of being granted a production authorization, provided that the installations are located on their property or on other adjacent properties which these persons own for as long these persons are the lawful owners or occupants and for as long power is produced as follows:

a) From geothermal energy in stations with an installed capacity less than, or equal to a half (0.5) MW<sub>e</sub>.

b) Using biomass or biofuels in stations with an installed capacity less than, or equal to one hundred (100) kW<sub>e</sub>.

c) From photovoltaic systems of stations with an installed capacity less than, or equal to one hundred and fifty (150) kW<sub>peak</sub>.

d) Through wind energy with an installed capacity less than, or equal to 20 kW<sub>e</sub> if these farms are located in *isolated microgrids* as they are defined in article 2 of Law 2773/1999 or farms with an installed capacity less, than or equal to forty (40) kW<sub>e</sub> if these farms are located in the rest of the islands that are not connected to the mainland's interconnected System and with an installed capacity of less than, or equal to fifty (50) kW<sub>e</sub> if these farms are located in the Interconnected System.

e) From plants with an installed capacity up to five (5) MW<sub>e</sub> built by educational or research bodies of the public or private sector and for as long these plants operate exclusively for educational or research purposes.

f) From plants erected by the Centre for Renewable Energy Sources for as long as these plants operate for carrying out certification or measurements.

g) From miscellaneous plants with an installed capacity less than, or equal to fifty (50) MW<sub>e</sub> in case they utilize [one or more types of] RES of those included in par. 2 of article 2 hereof [but] in a form other than that of the above cases.

The exemptions in cases a, b, c, d, e and f apply provided that no grid congestion exists according to a decision by RAE issued as per case a) of par. 5 of article 3 hereof.

2. The exemptions from the obligation of being issued a production authorization are verified by virtue of a decision of RAE issued within ten (10) working days from the submission of a relevant application, provided that the application is accompanied by all necessary data or from the date these data have been completed.

That decision shall not be required in the case of power generation plants using RES or high-efficiency cogeneration of electricity and heat and having an installed capacity up to twenty (20) kW<sub>e</sub> except installations in islands not connected to the mainland's Interconnected System and where there are grid congestion conditions as ascertained by a RAE decision issued according to case a) of par. 5 of article 3 hereof. Prior to installing the plants, the persons in charge of the operation of these plants for which no attestative act shall be issued according to the preceding section, should inform the competent Operator with regard to the location, capacity and technology applied with respect to these plants. The operation of the plants shall be illegal should these persons omit the obligation of briefing. The competent Operator shall inform the Minister of Development and RAE at the end of each two-month period with respect to the installation of the above plants.

3. Also exempted from the obligation of being granted a production authorization shall be the autonomous power generation plants using RES or high-efficiency cogeneration of electricity and heat and not connected to the System or the Network with an installed capacity less than, or equal to five (5) MW<sub>e</sub>. With respect to autonomous plants with an installed capacity up to fifty (50) kW no attestative act of RAE is required as laid down in par. 2 of this article.

4. Upon an application of the licensee, the competent Operator should proceed with all necessary actions for the connection of the plants referred to in par. 1 of this article to the System, the Interconnected Network, or the Network of the islands which are not connected to the mainland's interconnected System unless there are substantiated technical reasons justifying the refusal of connection as provided for in the corresponding Operation Codes. Along with the application submitted according to the previous section, the submission of landholding titles for the installation lot, as well as the building permit for that area, if construction of buildings is necessary, is obligatory.

## **Article 5**

### **Authorizations Regulation - Publicizing - Recording – Inspection**

1. For granting a production authorization, or modification or revocation thereof, a relevant application should be filed with RAE accompanied by the documents referred to in the decision issued according to par. 3 of this article. The application for the granting of a production authorization shall be accompanied by a preliminary environmental impact assessment. A copy of the application and the accompanying documents, as well as any later document having submitted to RAE shall be notified to the Minister of Development at the applicant's care. In the decision issued according to par. 3 of this article, the data of

the application and the opinion to be delivered by RAE for the assessment of the application, as well as the data of the application and the opinion made public at its care through the internet or another suitable way shall be laid down.

The opinion of RAE shall be accompanied by a report documenting the application of the criteria referred to in article 3 par. 1 hereof.

2. RAE shall keep a special registry of electricity generation using RES or high-efficiency cogeneration of electricity and heat. In this registry, the data of the authorizations referred to in article 3 par. 3 hereof, the acts of exemption from the obligation of being granted these authorizations, their transfer, their amendments, as well as any other modification of the data of the authorizations for which no amendment is required according to article 3 par. 5 hereof shall be entered. RAE shall notify the content of the registry to the relevant Operators and the Minister of Development at the end of every two-month period via e-mail or another suitable means. The licensee shall promptly notify RAE and the Minister of Development with respect to any modification of these data. For the cases where the data changes that have been entered into the special registry do not make necessary amendment of the production authorizations, RAE shall issue a relevant certificate.

3. The Authorizations Regulation for Power Generation from Renewable Energy Sources and High-Efficiency Cogeneration of Electricity and Heat shall be approved by decision of the Minister of Development issued following an opinion of the RAE and published in the Official Gazette. In that Regulation:

a) The criteria established in article 3 par. 1 hereof shall be set out and the methodology for their application is defined.

b) The procedure pertinent to the filing of the applications for production authorizations and the documents accompanying them, as well as to the assessment of these applications, to the procedure of lodging and considering objections regarding submitted applications, including the procedure of amendment and transfer of production authorization and any further specific matter and relevant detail are established.

c) The detailed and specific obligations of the licensee, the procedure of monitoring and inspecting the observance of the terms of the production authorization and the appurtenant obligations, as well as the revocation procedure of that authorization are established.

4. By virtue of a decision, RAE may set out in detail technical matters and specific issues regarding the assessment method and procedure for the applications submitted for the granting of production authorizations.

## **Article 6**

### **Production authorization for hybrid stations using RES**

1. The provisions of articles 3, 4 and 5 hereof are *mutatis mutandis* applicable for the installation and connection of hybrid stations using RES in the Network of the islands which are not connected to the mainland's interconnected System, as well as for the operation of these stations. The applications for issuing electricity production authorizations for hybrid stations are also accompanied by a comprehensive study detailing the connection and operation mode of the hybrid stations in the electrical grid of an island not

connected to the mainland's interconnected System, on an annual basis, the obligation for the supply of firm power and the operation terms and conditions. As firm power is deemed the maximum power output the hybrid station should supply to the grid within specific periods of time. The submitted applications also include a proposal for billing the capacity availability of the guaranteed output units of the hybrid stations, the energy produced in these units and absorbed by the grid of the island not connected to the mainland's interconnected System, as well as the energy the station absorbs from the grid for filling its storage means. The billing proposals shall be formulated as provided for in article 13 par. 3 hereof.

2. In assessing the applications using also the criteria laid down in article 3 par. 1 hereof, RAE takes into consideration, on an annual basis, the electricity production cost of the hybrid station of the autonomous electrical system of the island which is not connected to the mainland's interconnected System, as stated in the proposal, as well as the reduced output of the power generated in conventional plants due to its substitution with the power produced in RES units.

3. The technical and other data, for any island not connected to the mainland's interconnected System, necessary for preparing the study provided for in par. 1 of this article are set out by RAE and shall be made known to any party interested in the installation of a hybrid station. For the promotion of the installation of hybrid stations on islands not connected to the mainland's interconnected System and the support of those interested therein, RAE may prepare and make available to them, every two years, a study containing the necessary information and any useful data regarding the deployment possibilities for hybrid stations on each island, the recommended technologies, the type and size of the units setting up the hybrid stations, on the basis of the particular characteristics of the electrical system, as well as the electricity generation cost for each autonomous electrical system of the islands not connected to the mainland's interconnected System.

4. The terms of sale to the Operator of the islands which are connected to the mainland's interconnected System, are described in detail in the authorization for power production by hybrid stations, as well as the absorption terms of the necessary amount of electricity from the Network. In that authorization, the period during which the station should supply its firm output shall also be established.

5. The holder of an authorization for power production by a hybrid station using RES and installed in an island not connected to the mainland's interconnected System should sell the electricity produced to the Operator of the islands not connected to the mainland's interconnected system which in turn is obliged, within the term put forth in the production authorization, to conclude the necessary contracts with the licensee, including the contract for the sale of electricity as provided for in article 12 par. 2 hereof.

6. The procedure provided for in articles 3, 4 and 5 hereof is applicable *mutatis mutandis* with respect to the granting of an authorization for power production in hybrid stations installed in the System or the Network belonging to the Interconnected System.

7. Notwithstanding the limitation put forth in article 2 par. 25 case b) hereof, hybrid stations with firm output may be supplied with electricity from the Network or the System and for amounts deemed necessary for securing their firm output availability.

## **CHAPTER C**

### **INSTALLATION OF POWER GENERATION FACILITIES USING RES AND HIGH-EFFICIENCY COGENERATION OF ELECTRICITY AND HEAT AND DISPATCH OF ELECTRIC POWER**

#### **Article 7**

##### **Installation and operation of power generation facilities using RES and high-efficiency cogeneration of electricity and heat**

The power generation facilities using RES and high-efficiency cogeneration of electricity and heat, as well as any other works appurtenant to their construction and operation, including the access roads and the connection lines to the System or the Network shall be allowed to be installed and operate as follows:

- a) On a lot or an area whereon the applicant has the right of lawful use.
- b) In forests and scrubland provided that the construction of works therein has been permitted according to articles 45 and 58 of Law 998/1979 (Official Gazette A' 289), as in force at each time, or article 13 of Law 1734/1987 (Official Gazette A' 189), as in force at each time.
- c) On the shoreline, coast, sea or sea bed, provided that their right of use has been conferred according to article 14 of Law 2971/2001 (Official Gazette A' 285), as in force at each time.

#### **Article 8**

##### **Installation and Operating Permits**

**1.** A relevant permit is required for the installation or extension of a power generation plant using RES or high-efficiency cogeneration of electricity and heat. That permit will have the form of a decision of the Secretary General of the Region in whose territory the plant will be installed in the case of all projects classified in the 2<sup>nd</sup> sub-category of category A' and the 3<sup>rd</sup> or 4<sup>th</sup> sub-category of category B' according to the provisions of article 3 of Law 1650/1986 (Official Gazette A' 160), as in force, and the regulatory acts issued according to the enabling dispositions thereof. The installation permit shall be issued no later than fifteen (15) days from the date the applicant files the relevant application along with the supporting documents provided for in par. 10 of this article. Should the Secretary General of Region fail to issue the installation permit within the deadline established in the previous section, the jurisdiction thereto shall fall upon the Minister of Development to whom the applicant will submit the application along with the accompanying documents and the decision approving the environmental impact study or verified copies thereof. The Minister of Development shall issue the installation permit no later than thirty (30) days from the date of having taken delivery of the above documents. For the issuing of the installation permits, the Minister of Development will be given secretariat, technical and scientific support by the Centre for Renewable Energy Sources for a fee to be determined by virtue of a joint decision of the Ministers of Economy and Finance and Development.

2. The installation permit for a power generation plant using RES or high-efficiency cogeneration of electricity and heat and classified in the 1<sup>st</sup> sub-category of the category A', as well as for all RES projects located in protected areas RAMSAR, Natura 2000, national parks and esthetic forests, regardless of the category of these projects according to the provisions of article 3 of Law 1650/1986 and the regulatory acts issued by virtue of the enabling dispositions thereof, shall take the form of a joint decision by the Minister of Development and of any other Minister having jurisdiction thereto, as the case may be, according to the procedure of and within the thirty (30) day deadline laid down in the preceding paragraph.

3. With respect to the issue of installation permit of power generation plants using RES or high-efficiency cogeneration of electricity and heat and connected to the System, the Network or the Network of the islands which are not connected to the mainland's inter-connected System, the Operation Codes regarding the connection of plants should be legally observed.

A summary of the installation permit shall be published at its holder's care in at least one daily Athens newspaper and a local newspaper published in the department where the plant is to be erected.

4. The installation permit shall be valid for two (2) years and may be extended to the maximum for an equal period following an application of its holder provided that:

a) By the end of the two-year period a portion of the works have been completed at a cost corresponding to 50 percent of the investment budget or

b) No commencement has been made of the works for reasons that in a substantiated way cannot be attributed to the omission, or any fault of the holder of the installation permit provided that the necessary contracts have come into force for the supply of the equipment being necessary for the implementation of the project. The conclusion of contracts according to the preceding section, is not necessary in case of injunction barring the performance of the installation permit.

5. With respect to the operation of the plants provided for in par. 1, an operating permit is required. That permit is granted in the form of a decision by the authority which is competent for the granting of the installation permit following an application of the applicant and upon verification, by the competent authorities, of the observance of the technical conditions of the installation during the tentative operation of the plant, as well as the monitoring, by the Center for Renewable Energy Sources, of the safeguarding of the necessary functional and technical features of the plant's equipment. The operating permit shall be issued within a strict time-limit of fifteen (15) days from the completion of the aforementioned inspections provided that the monitoring shall have a positive result.

6. The operating permit of power generation plants using RES or high-efficiency cogeneration of electricity and heat is valid for a minimum of twenty (20) years and may be extended for another equal length of time. The granting of the operating permit does not release its holder from the obligation of being granted other permits being necessary under the relevant provisions of the laws in force or renewal of the validity thereof.

In case of transfer of ownership of the plant, the new owner shall be subrogated vis-à-vis the Operator of the System or the Network with respect to the rights and obligations of its

assignor. In case of transfer of ownership of the plant, the production authorization shall also be transferred to the new owner following an opinion from RAE. After such transfer, the operating permit is modified to be valid in the name of the new owner of the plant by virtue of a decision taken by the competent authority.

7. The approval of environmental terms with respect to the installation of power generations plants using RES or high-efficiency cogeneration of electricity and heat is valid for ten (10) years and may be extended for one or more times and up to the same time-period at each time.

8. No installation and operation permits are required for power generations plants using RES or high-efficiency cogeneration of electricity and heat, which are exempted from the obligation of being granted a production authorization as provided for in article 4 hereof. In all cases, for those plants environmental permitting is necessary according to the laws in force.

9. A registry of installation and operating permits of power generation plants using RES or high-efficiency cogeneration of electricity and heat is to be kept in the competent Service of the Ministry of Development be kept. There, the installation and operating permits are registered, as well as the cases of exemption from the obligation of obtaining these permits. Should a production authorization be amended or transferred, a relevant update on the registry shall be made along with the entering of the amending decision whenever so required. The organization, running and updating of the registry and every specific matter and necessary details are to be settled by virtue of a decision of the Minister of Development

10. The required supporting documents, the procedures and any necessary detail for the issuing of the permits provided for in this article are laid down by virtue of decision of the Minister of Development

## **Article 9**

### **Access status of RES or high-efficiency cogeneration of electricity and heat facilities in the System or the Interconnected Network**

1. Concerning RES or high-efficiency cogeneration of electricity and heat facilities, which are connected to the System or the Network, except the Network of islands not connected to the mainland's interconnected System, and provided that the System or the Network are not put at risk, the relevant Operator should by load dispatch give priority to the installations listed below:

a) Available production facilities in which the electricity is generated from RES independently of their installed capacity, as well as hydroelectric plants with installed capacity up to fifteen (15) MW<sub>e</sub>.

b) Available production facilities in which the electricity is generated sing RES or in plants of high-efficiency cogeneration of electricity and heat using RES in combination with gaseous fuels, regardless of their installed capacity.

c) Available production facilities in which the electricity is produced in plants of high-efficiency cogeneration of electricity and heat in a way different than that provided in case

b). In that case the priority rights are given to production facilities with an installed capacity up to thirty five (35) MW<sub>e</sub>.

2. The priority given according to the provisions of the preceding paragraph shall also apply to the surplus of electricity of auto-producers provided that the energy surplus is produced in plants using RES or high-efficiency cogeneration of electricity and heat as provided for in the cases a) and b) of the preceding paragraph, whereas the maximum installed capacity shall not exceed thirty five (35) MW<sub>e</sub> and for an amount of energy that does not exceed, on an annual basis, 20 percent of the total produced electricity and which percentage in no case may be more than fifty thousand (50,000) MWh. If the auto-producer generates electricity through high-efficiency cogeneration of electricity and heat according to the case c) of the preceding paragraph, priority shall be given to power generation facilities with a totally installed capacity up to thirty five (35) MW<sub>e</sub>.

3. By load dispatch according to par. 1 of this article the Operator of the System or the Network shall provide to the RES units of the hybrid station which is connected to the System, either directly or through a Network, the same priority status as that enjoyed by the RES plants which are not part of a hybrid station according to case a) of par. 1 of this article. Should reasons of functional safety of the System or the Network render impossible the access to them of the RES units of the hybrid station, the priority rights of the RES units of the hybrid station shall apply to a proportion of the energy absorbed from the System or the Network for the operation of the storage units of the hybrid stations operating at the same time as load dispatch. That proportion shall be established in the production authorization of the hybrid station.

4. The firm power output units of the hybrid station that utilize the energy stored in the storage system of that station shall be given access to the System as stipulated in the System Operation Code, as in force at each time, with respect to hydroelectric plants with an installed capacity greater than fifteen (15) MW<sub>e</sub>.

5. For the filling of the storage system of the hybrid station, energy may be absorbed from the System or the Interconnected Network provided that a relevant load demand declaration will be submitted to the System Operator according to the stipulations of System Operation Code, as in force at each time, with respect to hydroelectric plants with an installed capacity greater than fifteen (15) MW<sub>e</sub>.

6. The terms, conditions, procedure and any necessary details regarding the priority status applicable to load dispatch to the generation facilities according to the preceding paragraphs shall be laid down in the System Operation Code.

## **Article 10**

### **Access status of RES plants and high-efficiency cogeneration plants in islands not connected to the mainland's interconnected System**

1. In the islands not connected to the mainland's interconnected System, the relevant Operator should absorb as a priority the electricity produced in RES facilities of a producer or auto-producer, as well as from the RES units of a hybrid station and thereafter the surplus of energy produced by an auto-producer in a high-efficiency cogeneration plant of electricity and heat.

2. By load dispatch, the Network Operator of the islands which are not connected to the mainland's interconnected System shall give priority, according to the preceding paragraph, to the hybrid station's power generation units using RES over the other RES plants only if these units participate in the supply of hybrid station's firm power as provided for in the relevant production authorization or if energy storage is taking place in the production units of the hybrid station. In the latter case, priority shall be given for an amount up to the percentage of power absorbed from the Network for the filling of the hybrid station's storage systems which are connected to the Network of an island not connected to the mainland's interconnected System. That percentage shall be recorded in the production authorization and for its determination a relevant recommendation of the Operator of the islands which are not connected to the mainland's interconnected System shall be taken into account.

By load dispatch the Operator of the Network of the islands which are not connected to the mainland's interconnected System shall give priority to the units of firm generation output for the utilization of the hybrid station's stored energy over the conventional power plants of the island.

3. The terms, conditions, procedure and any necessary details regarding the absorption of electricity of the production facilities by the Operator of the islands which are not connected to the mainland's interconnected System according to the provisions of this article shall be laid down in the Operation Code of the Islands not connected to the mainland's interconnected System.

## **Article 11**

### **Connection of power generation facilities using RES or high-efficiency cogeneration of electricity and heat to the System or the Network**

1. If a new power generation station using RES is connected to the System or the Network through a voltage stepping-up substation located outside the lot occupied by the station, the license holder of the connected power station using RES, may construct the connection works from the stations' boundaries, up to the boundaries of the System or Network, according to par. 4 of article 2 of Law 2941/2001, and can also acquire the management of these works as provided for in the relevant Operation Codes. With respect to the appropriation of real property and the acquiring of real rights on them in favor of the holder of the production authorization with the aim of installing the connection works, the provisions of article 15 of Law 3175/2003 (Official Gazette A' 207) are *mutatis mutandis* applicable. With respect to any other matter, applicable are *mutatis mutandis* in favor of the holder of the production authorization the provisions of par. 8 of article 9 of Law 2941/2001. The necessary approvals for the installation of the connection works according to the preceding sections shall be granted by application *mutatis mutandis* of the provisions of the laws in force relevant to the owner of the System or the Network.

2. For the construction of the connection works the production authorization holder shall prepare a relevant study according to the terms and specifications put forth by the relevant Operator who will also approve that study. Prior to the approval of the study the relevant Operator shall inform the first-level local government about the basic data of the study regarding the location of the connection works for the notification of the property-owners where these works will take place. Should another user be connected to the connection

works, the management of the part of the works used by it shall be transferred by the holder of the production authorization using RES to the relevant Operator which will acquire the former user's rights and obligations of. In that case the ownership of the land occupied by the connection works of the above part, as well as the relevant connection works, shall be transferred to the Network owner that shall pay a recompense for the ownership of the land. The new user shall pay the holder of authorization for the production of power from the connected plant an amount that shall be determined and paid according to the provisions of the System Operation and Power Transaction Code governing the implementation of extension works for connection purposes. The recompense for the use of land corresponding to the connection works shall not be made as above should the State be the owner of the land. The procedure and the criteria determining the amount paid for the ownership-transfer of the land and the connection works, as well as any other relevant issue and necessary details pertaining to the implementation of the provisions of this paragraph shall be established in the System and Network Operation Codes set out respectively in the provisions of article 19 and 23 of Law 2773/1999, as in force, following a recommendation of the relevant Operator and a concurring from RAE. In the same Codes, the form and content of the connection contracts of RES plants with the System or the Network and any other relevant issue and necessary details shall be laid down.

3. By virtue of the decision of the Minister of Development approving the Power Transmission System Deployment Study according to par. 2 of article 15 of Law 2773/1999, the construction and operation mode of the interconnection works to connect an island, not connected to the mainland's interconnected System, to that System of RES plants, as well as the allocation of the relevant costs on the basis of the installed capacity of these plants, in relation to the total transmission capacity of the interconnection, are laid down.

## **Article 12**

### **Sale Contract**

1. For the connection of electrical power generation plants using RES or through high-efficiency cogeneration to the System or the Network, including the Network of the islands not connected to the mainland's interconnected System according to articles 9 and 10 hereof, the System Operator should, in case the power plants shall be connected to the System either directly or through the Network, or the Operator of the islands not connected to the mainland's interconnected System, in case the power plants are connected to the Network of the islands not connected to the mainland's interconnected System, conclude an electricity sale contract with the holder of the relevant production authorization.

2. The sale contract shall be valid for ten (10) years and may unilaterally be extended for ten (10) more years upon a written declaration of the producer provided that the declaration is served at least three (3) months prior to the expiration date of the initial contract. The sale contract for electricity produced in hybrid stations is valid for twenty (20) years and may be extended according to the terms of the relevant production authorization upon a written agreement by the parties, provided that the production authorization is still valid.

3. The form, content and the procedure for drawing up the electricity sale contracts according to the provisions of this article, as well as any more specific matter and necessary are determined by virtue of a decision of the Minister of Development following a recommendation of the relevant Operator and an opinion from RAE.

## CHAPTER D PRICING OF ELECTRICITY

### Article 13

#### **Billing of electricity produced by RES plants or through high-efficiency co-generation and in hybrid stations**

The power generated by RES plants, or through high-efficiency co-generation and in hybrid stations by producers or auto-producers and taken up by the System or Network according to the provisions of articles 9, 10 and 12 hereof, is to be priced, on a monthly basis, as follows:

- a) The pricing shall be done on the basis of the price in Euro per MWh of electricity taken up by the System or the Network, including the Network of the islands which are not connected to the mainland's Interconnected System.
- b) The pricing of electricity according to the previous paragraph shall be done on the basis of the data of the following table.

Generation of electricity from:	Price of energy (Euro/MWh)	
	Interconnected System	Non-interconnected islands
(a) wind energy	<b>73</b>	<b>84.6</b>
(b) wind energy from sea wind farms	<b>90</b>	
(c) hydraulic energy exploited in small-scale hydroelectric plants with an installed capacity up to fifteen (15) MW <sub>e</sub>	<b>73</b>	<b>84.6</b>
(d) Solar energy utilized in photovoltaic units with an installed capacity less than, or equal to one hundred (100) kW <sub>peak</sub> , and which will be installed in a lawfully owned or possessed property or in adjacent properties of the same owner or lawful possessor	<b>450</b>	<b>500</b>
(e) Solar energy exploited in photovoltaic units with an installed capacity of over one hundred (100) kW <sub>peak</sub>	<b>400</b>	<b>450</b>
(f) Solar energy exploited in units employing a technology other than that of photovoltaics with an installed capacity up to five (5) MW <sub>e</sub>	<b>250</b>	<b>270</b>
(g) Solar energy exploited in units employing a technology other than that of photovoltaics with an installed capacity of over five (5) MW <sub>e</sub>	<b>230</b>	<b>250</b>
(h) Geothermal energy, biomass, gases released from sanitary landfills and biological treatment plants and biogases	<b>73</b>	<b>84.6</b>

(i) Miscellaneous RES	<b>73</b>	<b>84.6</b>
(j) High-efficiency cogeneration of heat and electricity	<b>73</b>	<b>84.6</b>

The prices in the above table concerning auto-producers apply only to plants using RES and high-efficiency cogeneration of electricity and heat with an installed capacity of up to 35 MW and for the surplus of the electricity taken up by the System or Network and which [surplus] may be as high as 20 percent of the total produced electricity in these plants on an annual basis.

2. Especially, the pricing of electricity produced in plants connected to the low-voltage grid shall be done every four (4) months.

3. For the pricing of the capacity availability of hybrid plants connected to the grid of islands not connected to the mainland's interconnected System, the electricity these plants absorb from the grid of islands not connected to the mainland's interconnected System, as well as the electricity these plants supply to that grid, the following apply:

a) The capacity availability of the firm output units of the hybrid plants connected to the grid of islands which are not connected to the mainland's interconnected System, is to be priced on a monthly basis, in Euro per MW of firm power output. The firm power output, the periods during which it will be supplied, as well as the price at which the capacity reimbursement will be done, is to be established in the production authorization of the hybrid station. For the pricing of the capacity availability, the budgeted construction cost and the fixed operation cost of a new incoming conventional plant to serve the autonomous system of the island not connected to the mainland's interconnected System are taken into account. The price to be paid to the producer for the availability of the firm output units of the hybrid station cannot be less than the price paid for the availability of the units of the new incoming conventional plant at a corresponding capacity. As new incoming conventional plant in the autonomous system of the island not connected to the mainland's interconnected System, is a power plant which uses conventional fuels and is regarded as being constructed at the time the application for the issuing of the production authorization is under consideration, and aims at the trouble-free power supply of the island not connected to the mainland's interconnected System according to the provisions of the Operation Code of the Islands not connected to the mainland's interconnected System.

b) The price according to which the pricing of the power produced in a hybrid station's firm output units exploiting the energy stored in the storage system and supplied to the grid of the island not connected to the mainland's interconnected System are specified in the production authorization of the hybrid station. This is conducted on the basis of the mean variable marginal cost for the production of electricity as that cost is estimated at the time of issuing of the production authorization to incur the conventional plants of the autonomous electrical system to meet the power demand of the island not connected to the mainland's interconnected System and which is [actually] met in this case by the firm output units of the hybrid station. The price determined in the first section cannot be less than the price at which the reimbursement is made for the electricity the hybrid station absorbs from the grid for the filling of its storage system increased by 25 percent.

c) The pricing of the overall amount of electricity the hybrid station absorbs from the Network of for the filling of its storage system is determined in the production authorization of the hybrid station. This is done on the basis of the mean variable cost of the plants serving the base load of the autonomous system of the island not connected to the mainland's interconnected System.

d) The total amount of electricity the RES units of the hybrid station supply directly to the Network of the island not connected to the mainland's interconnected System is to be priced as indicated in par. 1 according to the type of RES technology.

e) The power produced in the RES units of the hybrid station and directly supplied to the Network of the island not connected to the mainland's interconnected System may be compensated for the power the hybrid station absorbs from that network for the filling of its storage system. The right for compensation shall be acknowledged upon request by the producer and is to be written in the production authorization of the hybrid station, either by the issuing or the modification of the authorization. In that case the pricing of paragraphs c and d concerns the estimated amount of power absorbed from, or supplied to the Network as explicitly written down in the relevant production authorization.

4. If an island is [subsequently] connected to the mainland's interconnected System, the contracts between the Network Operator of the islands not connected to the mainland's interconnected System and the Producer shall continue to be valid without the possibility of extension.

5. By virtue of the decision issued according to par. 3 of article 5 hereof the procedure, specific issues and every necessary detail regarding the pricing done according to par. 3 of this article are determined.

6. The prices included in the table of par. 1 shall be revised annually by a decision of the Minister of Development following an opinion from RAE. That revision is based on the weighted adjustment of the approved bills of the Public Power Corporation (PPC S.A.). By "weighted adjustment" of the bills of PPC S.A., is meant the average of the separate changes per category of pricing, as that average shall be weighted according to the type of electricity consumption during the previous year.

If according to the relevant laws in force no approval of PPC S.A. bills is required, the prices of the table of par. 1 shall be adjusted by a decision of the Minister of Development at 80 percent of the consumer price index as established by the Bank of Greece. The adjustment shall be done in a unified way and shall be applied to all prices of the table.

7. By virtue of a decision of the Minister of Development following an opinion from RAE, there may a revision, on an annual basis, of the price of electricity produced, or absorbed, by a RES hybrid station, as well as the price for capacity availability of that plant according to the data establishing these prices as provided for in cases a), b) and c) of par. 3 of this article.

#### **Article 14**

##### **Photovoltaic stations**

1. For the promotion of power production from photovoltaic stations a photovoltaic deployment programme is to be compiled by RAE and approved by the Minister of

Development. The first stage of this programme, the implementation of which begins at the time this law comes into effect and ends on December 31, 2020, refers to the deployment of photovoltaic stations installed on Greek territory with a total capacity of at least 500 MW<sub>peak</sub> and concerns stations connected to the System directly or through the Network and with a total capacity of at least 200 MW<sub>peak</sub> for plants connected to the Network of the islands not connected to the mainland's interconnected system.

2. By virtue of a decision of the Minister of Development issued following a recommendation by Network Operator of the islands not connected to the mainland's interconnected system and an opinion from RAE the 200-MW<sub>peak</sub> capacity of the previous paragraph shall be allocated among the autonomous power grids of the islands not connected to the mainland's interconnected system based on the capabilities of each autonomous power grid. By virtue of a similar decision, the form, content and procedure applicable to the drafting of the contracts for the sale of electricity, the sale of electricity produced in photovoltaic stations, the process for the connection of these stations, the verification of the completion of the programme, as well as any other matter and necessary details concerning the operation of these stations in the framework of the programme, are determined.

3. The pricing of the electricity produced by the photovoltaic stations covered by the programme and which electricity is absorbed by the System directly or through the Network or the grid of the islands not connected to the mainland's interconnected system is to be done according to the data of the table of article 13 hereof. By virtue of decision of the Minister of Development, issued following an opinion from RAE, these pricing data may be modified after the start of the programme on the basis of its targets.

## **CHAPTER E GUARANTEES OF ORIGIN OF ELECTRICITY**

### **Article 15**

#### **Issue of Guarantees of Origin**

1. The origin of electricity produced in legally operating facilities using renewable energy sources, may be proved by the producers exclusively via the Guarantees of Origin issued by the bodies appointed in article 16. The Guarantees of Origin specify the source of the power generated and state the generation date and the location and, in the case of hydroelectric plants, their capacity.

2. In cases when power is produced in hydroelectric plants using pumping systems for the filling of the storage reservoir the Guarantee of Origin is to be issued only for the difference of the electricity produced from the hydraulic energy and the electric power that has been absorbed from the System or Network for the filling of the storage reservoir.

3. In cases where electricity is generated through the utilization of biomass, the Guarantee of Origin is to be issued only for the portion of electricity corresponding to the biodegradable fraction defined in article 2 par. 8 hereof.

4. By virtue of decision of the Minister of Development the issuing of Guarantees of Origin of electricity generated by sources other than RES may be provided.

## **Article 16**

### **Authorities in charge of issuing and supervision of Guarantees of Origin**

1. The authorities in charge of issuing Guarantees of Origin of electricity are the following.

a) The System Operator for the electricity supplied to the systems directly or through the Network.

b) The Network Operator of the islands not connected to the mainland's interconnected System, for the electricity supplied to the network of these islands.

c) The Centre for Renewable Energy Sources (CRES) for the electricity produced by autonomous stations that do not supply the System or the Network. To that end, the Centre shall install suitable metering devices at the expense of the producer who must file an application for the issuing of the Guarantees of Origin.

2. The RAE is appointed as the authority in charge of overseeing the Guarantee of Origin procedure. RAE is to oversee according to the provisions of articles 17 and 18 of this law the reliable operation of the Guarantee of Origin procedure, manage issues of mutual recognition of guarantees issued by the competent authorities of other member-states of the European Union or third countries and co-operate with these authorities.

## **Article 17**

### **Scope and issue procedure of guarantees of origin**

1. The Guarantees of Origin are to testify the energy produced in a specific time-period. In the Guarantees of Origin reference should be made at least to the specific time-period for which the guaranty is issued, the net amount of energy produced during that time, the kind of source employed for the generation, the location of the production facilities, the installed electric capacity of the relevant station, the producer and the issuing date.

2. For the issuing of Guarantees of Origin of electricity, the producers will submit to the authority in charge of issuing a relevant application. The Guarantees of Origin will be issued on the basis of adequate and accurate information provided by the producer as the certified metering data of the System Operator, the Network Operator or the Operator of the islands not connected to the mainland's interconnected system. It is producer's responsibility that these data are made known to the supervising authority.

3. If there are well-founded doubts with respect to the validity and accuracy of the data, on the basis of which the Guarantees of Origin are issued, the authority in charge of issuing may, on the grounds of a justified decision, cease issuing them.

4. The Guarantees of Origin certify the generation of electricity using renewable energy sources for a period no shorter than thirty (30) days. The issuing authority may rescind or amend a Guaranty of Origin or issue a new one as provided for in the decision issued according to the enabling provisions of article 18 par. 3 hereof.

5. If there is a new owner of the facilities generating electricity using RES, the Guarantees of Origin are transferred to the new owner by the authority in charge of issuing them. RAE should be informed at the care of the original owner.

6. Every authority issuing Guarantees of Origin should keep a special registry in printed and electronic form. In this registry, the Guarantees of Origin along with their accompanying data, as well as any relevant amendment or revocation thereof are to be entered. Access to the above register is free for a person interested therein.

7. Regarding the Guarantees of Origin issued by the Centre for Renewable Energy Sources as per article 16 par. 1 case c hereof the producer concerned shall pay a reasonable fee. Its amount is to be agreed on a case-by-case basis between the Centre for Renewable Energy Sources and is proportionate to the cost of the work required for the relevant certification. If there are dissenting views between the Centre for Renewable Energy Sources and the producer concerning the amount of the fee, the matter is to be settled through a justified decision by RAE following an application by the producer.

### **Article 18**

#### **Assurance mechanism**

1. For the verification of the concurrence of the conditions pertinent to the issue of the guarantees of origin and the accuracy of the data and information upon which it is issued, the body in charge of issuing and the persons authorized by it, withstanding the professional secret, have access to the generation plant and to any data and information regarding that plant. The producer should facilitate the task of the issuing authority and the persons acting on its behalf.

2. In case where the authority in charge of issuing the Guarantees of Origin is the System Operator, the Network Operator should co-operate with the former and provide the necessary information and data to fulfil the requirements of the preceding paragraph.

3. For the enactment of the system of Guarantees of Origin and its Assurance Mechanism, by virtue of a decision of the Minister of Development following an opinion of the RAE the following shall be laid down

a) The procedure and the necessary supporting documents for the issuing of the Guarantees of Origin.

b) The deadline within which the issuing authority should respond to the applications and the penalties for missing the deadline.

c) the form and content of any category of Guarantees of Origin per competent body in charge of issue.

d) the terms, conditions and procedure for the amendment, transfer, revocation or issue of new Guarantees of Origin

e) Matters pertaining to the cooperation of the issuing authorities and the supervision body with the competent authorities of the European Union member states and third countries, as well as the procedure and the conditions of the mutual recognition of the Guarantees issued by other European Union member states or third countries

f) Any other more specific issue and necessary details for the enactment of the system of Guarantees and its Assurance Mechanism.

**CHAPTER F**  
**AUTHORITIES FOR THE COORDINATION AND PROMOTION OF**  
**INVESTMENTS IN THE SECTORS OF RES AND HIGH-EFFICIENCY**  
**COGENERATION**

**Article 19**

**Committee in charge of promotion of large-scale RES and high-efficiency cogeneration investment plans**

1. In the Ministry of Development a committee shall be formed for the promotion of large-scale RES and high-efficiency cogeneration investment plans. That committee to be set up by virtue of a decision of the Minister of Development issued no later than three months from the date this law comes into effect shall be composed of the following members:

- a) The Secretary General of the Ministry of Development, as chairman.
- b) The Secretary General for Investments and Development of the Ministry of Economy and Finance.
- c) The Secretary General of Environment, Physical Planning and Town-Planning of the Ministry of Environment, Physical Planning and Public Works.
- d) The Secretary General of the Ministry of Agricultural Development and Foodstuffs.
- e) The Secretary General of the Ministry of Culture.
- f) The chairman of the Central Union of Municipalities and Communities of Greece or his substitute appointed by him.
- g) The chairman of the RAE or his substitute appointed by him.
- i) The chairman of the Centre for Renewable Energy Sources or his substitute appointed by him.
- j) The head of the Renewable Energy Sources and Energy Saving Directorate of the Ministry of Development.
- k) The head of Electric Power Generation Directorate of the Ministry of Development

2. The mission of the committee is the prompt promotion of investments in RES and high-efficiency cogeneration projects with an installed capacity equal to, or greater than thirty (30) MW<sub>e</sub> or a total budgeted cost over thirty million (30,000,000) Euro (large-scale investment plans for RES and high-efficiency cogeneration), as well the settlement of any issue arising from the issuing procedure for installation and operating permits of RES and high-efficiency cogeneration plants. The committee shall look into any cases brought before it by virtue of its own office or following a well reasoned request of the party interested.

In carrying out its duties the committee:

- a) Shall be responsible for the prompt implementation of the above investments by coordinating and directing the competent Services according to the pertinent procedures provided for in the laws in force.

b) Shall consider any matter regarding the investments of par. 2 and contribute towards the settlement of the arising problems by formulating to that end suitable proposals.

c) Shall mediate in the resolution of any dispute or disagreement arising from the licensing procedure of installations of RES and high-efficiency cogeneration between the interested parties and the competent authorities within the framework of the laws in force and to that end and shall communicate with the administrative officials and the higher political echelons of the competent authorities.

d) Shall submit to the Minister of Development and the Ministers discharging joint competence, as the case may be, proposals for the promotion of investments in the sectors of RES and high-efficiency cogeneration and resolve the relevant issues.

4. The committee shall be given secretarial assistance by the Administrative Support Directorate of the Ministry of Development.

## **Article 20**

### **Committee in charge of RES and high-efficiency cogeneration**

1. In the Ministry of Development a RES and high-efficiency cogeneration committee shall be established by virtue of a decision of the Minister of Development no later than three months from the date this law comes into effect and it will be composed of the following members:

a) The head of the Renewable Energy Sources and Energy Saving Directorate of the Ministry of Development as chairman.

b) A representative of the Ministry of Economy and Finance to be appointed the Minister of Economy and Finance.

c) A representative of the Operator of the Hellenic Power Transmission System (DESMHE) appointed by the board of directors thereof.

c) The head of Electric Power Generation Directorate of the Ministry of Development.

d) The head of the Special Environment Service of the Ministry of Environment, Physical Planning and Public Works

e) The head of the competent Directorate of the Ministry of Agricultural Development and Foodstuffs.

f) The head of the competent Directorate of the Ministry of Culture

g) A specialist of the RAE to be recommended by its chairman

2. The mission of the committee will be to coordinate and support the relevant Services regarding:

a) The granting of installation and operating permits of plants using RES or high-efficiency cogeneration with an installed capacity less than, or equal to 30 MW<sub>e</sub> or an investment with a budgeted cost less than thirty million (30,000,000) Euro.

b) The prompt implementation of investments in the sectors of RES and high-efficiency cogeneration

3. In carrying out its duties the committee may:

a) Consider any issue concerning investments in RES and high-efficiency cogeneration according to par. 2 and take care for the settlement of any arising problems. The committee shall inspect, among other things, the observance of the procedure, conditions and deadlines put forth for the rendering of opinions and the granting of approvals according to the provisions of this law and the regulatory acts enacted according to its enabling dispositions. The committees shall look into any cases brought before it by virtue of its own jurisdiction or following a sufficiently justified request by the party interested therein or following referral of these issues by the committee provided for in article 19 hereof. For any issue considered, the committee shall submit a relevant report to the Minister of Development, the Ministers exercising joint competence and RAE.

b) Submit, no later than February 1 of every year, to the Minister of Development and RAE a report detailing and documenting the most serious problems of the investment in the sectors of RES and high-efficiency cogeneration, as well as proposals for their resolution.

4. For its meetings the committee may summon, as the case may be, competent heads of Directorates or officials of other Ministries or legal entities under public or private law and organizations overseen thereby, as well as representatives of the Hellenic Investment Centre, the Centre for Renewable Energy Sources, the field's associations and scientific bodies and the investors in the sectors of RES and high-efficiency cogeneration.

5. The committee shall hold a meeting once every two months and extraordinarily whenever in its chairman's opinion there is a need thereto.

6. In carrying out its duties, the committee may cooperate with competent Services and bodies of the public and the broader public sector which should facilitate its tasks and promptly supply it with any necessary data and useful information.

7. By virtue of a decision the Ministers of the Interior, Public Administration and Decentralization, Economy and Finance and Development any issues of secretarial, technical and scientific support of the committee, as well as any more specific matter and necessary detail regarding its functioning shall be settled. Until that decision is made, the committee shall be provided with secretarial assistance by the Administrative Support Directorate of the Ministry of Development.

## **Article 21**

### **Reports on the promotion of RES**

1. The Minister of Development shall approve and be responsible for the publication of a National Report regarding the promotion of RES. in every suitable way, no later than October 1 of every year. That report shall be compiled by the Centre for Renewable Energy Sources and will include the following:

a) A detailed review of the penetration process of RES and high-efficiency cogeneration in the country's energy balance, as well as of the progress made in the investments in the sectors of RES and high-efficiency cogeneration especially with respect to achieving the national and European Union goals.

b) Identification and recording of reasons and events impeding the increase in power generation using RES.

c) Comparative data referring to the promotion of RES in the country with respect to other EU countries.

The first report shall be drafted and published no later than October 1, 2007.

2. The Minister of Development shall approve a detailed report regarding the achievement of the national indicative goals and take care for its publication in any suitable way, no later than October 1, of every second year.

That report shall be compiled by the RAE to include:

a) Reference to the climatic factors that may have an effect on the achievement of the above goals. The report details the measures haven been taken with respect to the fulfillment of the national commitments concerning climatic changes.

b) Assessment of the measures referred to in the previous case, as well as of the measures taken for removing the legislative, regulatory, administrative or other barriers and also for speeding up the procedure applicable to the promotion of RES.

c) Proposals for energy policy and implementation measures in order to reach the national indicative targets according to the mandates of the European Union laws.

The first report shall be compiled and drafted no later than October 1, 2008

3. The Minister of Development shall approve a detailed report regarding the meeting of the national indicative targets and take care for its publication in any suitable way, no later than October 1, of every fifth year. That report shall be compiled by the RAE to include:

a) Establishment of national indicative targets with respect to the share of electricity produced using RES in future power consumption in the following decade.

b) Description of the measures haven been taken or under consideration on a national level for meeting the indicative national targets.

## **Article 22**

### **Administrative sanctions**

1. By virtue of decision of RAE following a hearing according to article 6 of Law 2690/1999 (Official Gazette A' 45) a penalty of five thousand (5,000) Euro up to five hundred thousand (500,000) Euro, shall be imposed depending on the seriousness or the rate of incidence of the violation in the following cases:

a) Failure to keep the competent Operator informed, according to article 4 par. 3 hereof.

b) Failure to keep the Minister of Development and the RAE informed whenever no modification of the production authorization is necessary according to article 3 par. 5 hereof.

c) Inaccurate data stated in the *Guarantees of Origin* in violation of the provisions of article 17 par. 2 hereof.

d) Violation of imperative provisions of this law or of the regulatory acts issued by virtue of its enabling dispositions, as well as decisions of RAE issued according to the provisions of article 5 par. 3, or the terms of the authorizations issued according to the provisions of this law.

The decisions of RAE issued on the above cases shall be posted on its website.

2. By virtue of a joint decision of the Ministers of Economy and Finance and Development issued at the instigation of RAE, the lower and upper limits of the penalties provided for in the previous paragraph may be amended.

3. The penalties imposed according to the provisions of this article shall be assessed in favour of the Greek State and they are collected according to the stipulations of the Public Revenue Collection Code.

4. The imposition of the penalties pertaining to the provisions of this article does not exclude the possibility of imposition for the same offence of other administrative sanctions foreseen in other provisions or in article 458 of the Penal Code.

5. In case of violation of stipulations of this law, according to which the authorizations provided for under these provisions are granted or in case of non-compliance with the terms included in these authorizations, the Minister of Development may revoke the above authorizations following an opinion of the RAE. The authorizations may be revoked in parallel with the imposition of penalties.

### **Article 23**

#### **Codification of laws**

By virtue of a presidential decree issued at the instigation of the Minister of Development, the provisions of the laws in force governing the generation of electricity from any source may be codified in a unified text. In the codification, the order of the articles, the wording of their subtitles, the division of the matter into sections and chapters may be altered as well as the syntactic improvement and any necessary phrase change without any alteration to the meaning of the text.

## **CHAPTER G**

### **PROVISIONS REVISED**

#### **Article 24**

A. 1. The first section of par. 2 of article 58 of Law 998/1979 (Official Gazette A' 289) shall be replaced as follows:

“2. For the construction of infrastructure works, the installation of power transmission and distribution grids, the construction of substations and in general, any engineering works pertaining to the infrastructure and installation of power generation plants using RES or through high-efficiency cogeneration of electricity and heat, including also the connection works to the System or Network as they are defined in article 2 of Law 2773/1999 and the appurtenant works, as well as the natural gas and petroleum products transmission and distribution grids in scrublands or forests, a relevant approval for land use shall be required. That approval incorporated to the approval or environmental terms (E.P.O) will be granted by:

a) The Minister of Agricultural Development and Foodstuffs, by the issuing of the above decision for works or activities in the field of RES or high-efficiency cogeneration of electricity and heat, for whose environmental permitting of which the central Environment

Services of the Ministry of Environment, Physical Planning and Public Works are responsible.

b) The Secretary General of the relevant Region by the issuing of the above decision following an opinion of the competent forest service in case of works or activities in the field of RES or high-efficiency cogeneration of electricity and heat for whose environmental permitting of which the Regional or Prefectural Services in charge of environmental protection are responsible.”.

2. For the application of the procedure provided for in article 14 of Law 998/1979 regarding the classification according to the provisions of this article, of an area where the installation of RES or high-efficiency cogeneration of electricity and heat facilities is planned, the relevant procedure shall run simultaneously with the issuing procedure for the environmental impact approval and the deadline for issuing shall be extended for as long as the procedure of article 14 lasts.

B. 1. The first section of par. 5 of article 2 of Law 2244/1994 (Official Gazette A' 168) is replaced as follows:

“For power generation facilities from RES or high-efficiency cogeneration of electricity and heat, the lots where the station is located should be adjacent to the lot where the consumption takes place or the loads should be supplied from the station via a direct line.”

2. At the end of par. 3 of article 5 of Law 2244/1994 the following phrase is added to as follows: “as well as the connection works for RES facilities”.

C. The case a) of par. 1 of article 10 of Law 2773/1999 is replaced as follows:

“a) reserve stations, independent of their capacity, which operate only in the event of power supply failure or incapacity of the System or the Network. A power generation authorization shall be required if these stations operate for a purpose other than those provided.”

D. In article 14 of Law 2971/2001 a paragraph 9 shall be added to read as follows:

“9. By virtue of a decision of the Minister of Economy and Development provided for in paragraph 1, the transfer of the right of use of shoreline, coast, bordering or adjacent sea area or sea bottom is allowed for the performance of works connected to the installation of power generation facilities using RES. These works also include, in addition to those referred to in paragraph 4, the construction of substations, as well as the construction of any works deemed necessary for the connection of the station to the System or the Network.

In order to be granted such a right the person interested therein should submit an application to the competent Mortgage Service and notify the Minister of Development. The application shall be accompanied by an engineering report of the project. The Mortgage Service shall forward the relevant file in three (3) copies no later than fifteen days from the date of submission of the application to the Authority having jurisdiction over the environmental permitting in order that the procedure pertinent to the approval of environmental impact is followed according to the laws in force.

The decision approving the environmental impact shall be forwarded to the competent Mortgage Service which shall issue the decision authorizing the transfer according to the first section.”

## **CHAPTER H MISCELLANEOUS PROVISIONS**

### **Article 25**

A. 1. Any producer of electricity from RES to whom a generation authorization will be granted after the date this law comes into effect shall be burdened from the start of the commercial operation of the plant with a special fee. That fee corresponds to 3 percent of the pre-VAT sale price of electricity to the Operator of the System or the Network of the islands not connected to the mainland's Interconnected System. The producers of electricity from photovoltaic systems are exempted from the payment of the fee.

2. The amounts that correspond to the special fee according to the preceding paragraph are withheld by the competent Operator in order to allocate 80 percent to the first-level local government in administrative territory of which the RES plants are located and 20 percent to the first-level local government or governments of the territory through which the connection line to the System or Network passes. If the plant is located in the territory of more than one local government, the amounts of the special fee shall be distributed to them according to the capacity of the plant's units which are installed in the territory of each local government or in case of a hydroelectric plant with an installed capacity less than, or equal to fifteen (15) MW<sub>e</sub> proportionally to the length of the conduit stretch located in the territory of each local government. If the line connecting the plant with the System or Network passes through the territory of more than one local government, the amounts of the fee shall be distributed among them proportionally to the length of the stretch of the connecting line located in the territory of each local government. The connection point of the plant shall be established through its connection terms as formulated by the competent Operator.

3. The amounts that correspond to the special fee shall enter a separate code of the revenue budget of the relevant first-level local government ("Revenues from electricity generation plants using renewable energy sources") and shall obligatorily and exclusively be allocated as follows: 80 percent for the performance of local development works in areas within the boundaries of the municipal or communal department where the plant is located or the connection line passes through and 20 percent in the remaining territory area of the relevant first-level local government. By the construction and operation of these works, at the care of the relevant local government in charge of the implementation of the works, a special sign shall be posted to indicate the source of the relevant funding. Within the first quarter of every subsequent year the relevant local governments should submit to the Minister of Development and the Secretary General of the relevant Region a report with an account of the utilization of the revenue resulting from the special fee.

4. In case the relevant local government does not have a treasury department, the amounts of the special fee shall be deposited with the relevant Public Revenue Office to the benefit of the local government which shall be notified thereon.

5. Within the first two-month period of every year the competent Operators shall inform in writing the Ministry of Development with regard to the amounts they paid to every beneficiary during the previous year.

6. The Secretary General of the relevant Region shall exercise control of legality and supervise with respect to the utilization by the beneficiary local governments of the amounts coming from the special fee according to the provisions of this article and shall submit to the Minister of Development a relevant report at the end of every year.

7. By virtue of a joint decision of the Ministers of Interior, Public Administration and Decentralization, Economy and Finance and Development, the procedure and every more specific matter and necessary details may be laid down for the enforcement of the provisions of this article.

B. 1. The assets of the companies which receive public aid according to the provisions of Law 3299/2004 (Official Gazette A' 261) regarding investment plans in the field of power generation from RES and high-efficiency cogeneration of electricity and heat and correspond to the cost of extension works for their connection to the grid of the Public Power Corporation are handed over, following their implementation upon the owner of the System or the Network as laid down in Law 2773/1999, as in force, as well as the ministerial decisions which were issued pursuant to the enabling dispositions thereof, at variance with the provisions of article 10 of Law 3299/2004.

2. By virtue of a joint decision of the Ministers of Economy and Finance and Development the method and the criteria for granting aid for the construction cost of the works referred to in the preceding paragraph are determined when more than one users are connected to the grid of the Public Power Corporation and matters arise regarding that connection cost in the form of refunding amounts to those who were initially connected.

3. The stipulation scope of the preceding paragraphs 1 and 2 shall include also the approval decisions of investment plans that have been issued according to the provisions of Law 3299/2004, as well as applications still pending which have been filed for such plans to be granted public aid under the provisions of that law.

C. At the end of the first line of case a) of par. 1 of article 10 of Law 2323/1995 (Official Gazette A' 145) as replaced with article 10 of Law 3377/2005 (Official Gazette A' 202) after the work "Kerkyra" the comma shall be omitted and the phrase "and to the department (nomós) of Chalkidiki" will be added.

D. 1. In par. 1 of article 3 of Law 3438/2006 (Official Gazette A' 145) in lines 13 and 14 the phrase "for which applicable are the disqualifications provided for in par. 4" will be added.

2. In article 4 of Law 3438/2006 a paragraph 3 shall be added as follows:

"3. In the Special Scientific Secretariat five (5) positions of specialized partners under private right employment contract, two (2) being allocated to the chairman and three (3) to the Scientific Secretary of the SEES [National Energy Strategy Board] to assist them in their jobs shall be created.

The hiring for the above posts shall be done by means of corresponding decisions of the chairman and the Scientific Secretary of SEES through the application *mutatis mutandis* of the provisions of par. 1 of article 8 of Law 2623/1998 (Official Gazette A' 139) with respect to any other issues".

## **Article 26**

1. In the tenders held by the Hellenic Power Transmission System Operator S.A. (DESMHE S.A.) according to the provisions of par. 4 of article 15 of Law 2773/1999, as in force, should a natural or legal person in possession of a power generation authorization be nominated as contractor either self-sufficingly or as a member of a joint venture or consortium of natural persons or legal entities, or should that contractor be lawfully substituted, the power generation authorization shall be amended, as the case may be, to be valid in the name of the new person which shall enter into the relevant contracts or in the name of the person being the substitute of the contractor, by virtue of a decision of the Minister of Development following an opinion from RAE. That decision shall be issued no later than fifteen (15) days from the filing of the relevant application. In the above cases the deadline for lodging objections according to the Authorizations Regulation of Power Generation and Supply having been approved by virtue of the decision of the Minister of Development D5-EL/B/F.1/17951/8.12.2000 (Official Gazette B' 1498) is fixed at five (5) days from the date RAE makes public its intention to recommend the amendment of the relevant authorization.

With respect to the substitution of the contractor in the contracts being the scope of the above tenders, a relevant approval shall be required to be granted by the Minister of Development following a recommendation by DESMHE S.A. and an opinion by RAE.

2. With respect to the amendment of the installation and operating permits of power generation plants referred to in the preceding paragraph the competent authority shall decide within a strict deadline of ten (10) days from the submission date of the relevant application. In case of inactive lapse of this term, the application file shall promptly be forwarded to the Minister of Development who shall decide with respect to the amendment of the relevant permit no later than ten (10) days from the date of having been delivered the relevant file.

3. At the end of par. 3 of article 15 of Law 2773/1999, as in force, a section shall be added to read: "As criterion for award according to the preceding paragraph the offering of a low price may also be laid down".

4. The provisions of this article shall retroactively come into effect as of April 1, 2006.

## **CHAPTER I TRANSITIONAL AND FINAL PROVISIONS**

### **Article 27**

1. Applications filed for the issue of authorizations for power generation from RES or high-efficiency cogeneration of electricity and heat and for which by the time this law comes into effect, RAE has not delivered a relevant opinion, shall be assessed according to this law. By that assessment article 9 of the Authorizations Regulation of Electricity Generation and Supply which was sanctioned by virtue of Minister of Development decision D5-EL/B/F.1/17951/8.12.2000 shall be taken into consideration, as well as criterion d) of par. 1 of article 3 hereof. With respect to any other matter par. 2 of article 3 hereof applies.

2. Applications which have been filed with the purpose of being granted installation permits, the delivery of an opinion for preliminary environmental assessment, the granting of approval for the transfer of the right of use of scrubland, the issue of the decision approving the environmental terms or the issue of the operating permit and for which no administrative act has been issued until the time this law comes into effect, shall be assessed according to the provisions in force by the time the applications were filed.

3. Operating permits of power generation plants using RES or high-efficiency cogeneration of electricity and heat being in force by the time of coming this law into effect shall be extended *ipso jure* to expire twenty (20) years after their issue date.

4. From the application scope of the provisions of this law, the hydraulic energy produced in hydroelectric plants with a total installed capacity exceeding **fifteen (15) MW<sub>e</sub>**<sup>1</sup> shall be excluded.

5. **The special fee provided for in par. A1 of article 25 is fixed for the producers of energy using RES and whose stations were in commercial operation before this law came into force at 2 percent as from January 1, 2005 and at 3 percent as from June 27, 2006<sup>2</sup>.** With respect to any other matter to these producers the provisions of the second, third and fourth section of par. 1 and of the rest paragraphs of article 25 hereof are also applicable.

6. Par. 5 of article 2 of Law 2244/1994 as replaced with article 24 item 1 of this law shall be applicable until the Network Operation Code and the Code of Islands not connected to the mainland's interconnected System will come into effect.

7. Wherever in the laws in force reference is made to articles 35 to 39 of Law 2773/1999, as in force at each time, this reference shall be considered as made to articles 9, 10, 12 and 13 of this law.

8. The assignee of geothermal field management should, no later than the deadline fixed in the relevant authorization, enter into a sale contract of the geothermal product with the holder of the production authorization according to the terms and at the price detailed in the relevant production authorization.

9. The share of the electricity generated from RES in the gross electricity consumption is set at 20.1 per cent up to the year 2010 and at 29 per cent up to the year 2020 as provided for in Directive article 3.

10. For the granting of installation permits after December 22, 2009, the preparation and approval of a water resources plan, as provided for in article 7 of Law 3199/2003 (Official Gazette A' 280), shall be required.

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<sup>1</sup> The size of capacity is given as corrected by virtue of article 17 par. 1 of Law 3489/2006 "Thessaloniki Innovation Zone and miscellaneous provisions" (Official Gazette A' 205)

<sup>2</sup> This period is put as replaced with article 17 par. 2 of Law 3489/2006 "Thessaloniki Innovation Zone and miscellaneous provisions" (Official Gazette A' 205)

11. Contracts for the sale of energy produced in RES or high-efficiency cogeneration of electricity and heat plants valid by the publication date of this law and which have not been renewed according to the provisions of article 37 of Law 2773/1999, as in force, may be extended for ten (10) more years as stipulated in par. 2 of article 12 hereof. Contracts for the sale of energy produced by plants using RES or through high-efficiency cogeneration of electricity and heat and which are valid by the publication date of this law shall be governed by its provisions.

### **Article 28**

#### **Provisions abolished**

As from the date this law comes into effect the following will be abolished:

1. a) The last section of par. 4 of article 3, as well as article 10 of Law 3175/2003.

b) Paragraphs 1, 2 and 3 of article 35 and articles 36, 37, 38 and 39 of Law 2773/1999.

c) Paragraph 4 of article 2 of Law 2244/1994.

d) Paragraphs 1, 2, 3, 5, 6 and 7 of article 3 of Law 2244/1994, as in force, with respect to electricity generation plants from RES or high-efficiency cogeneration of electricity and heat or reserve power plants. Wherever in the laws in force reference is made to the provisions of these paragraphs, that reference is considered to be made to the provisions of articles 8 and 24, item C, of this law.

2. Any other general or special provision contrary to the provisions of, or referring to an issue regulated by this law.

### **Articles 29-32**

*The scope of the provisions of the articles 29-32 is irrelevant to the main scope of the law.*

### **Article 33**

#### **Coming into effect**

This law shall come into effect as by the date of its publication in the Official Gazette except if otherwise stipulated in its individual provisions.