

**Official Gazette (21<sup>st</sup> December 2018 and 20<sup>th</sup> May 2020), Regulation on promoting electricity production using renewable energy sources and highly efficient cogeneration**

**GOVERNMENT OF THE REPUBLIC OF CROATIA**

**2300**

Pursuant to Article 31, Paragraph 6, Article 34, Paragraph 5, Article 36, Paragraph 1 and Article 46, Paragraph 9 of the Act on Renewable Energy Sources and Highly Efficient Cogeneration ("Official Gazette" no. 100/15, 123/16, 131/17 and 111/18), at the meeting of 20<sup>th</sup> December 2018 the Government of the Republic of Croatia made the following

**REGULATION**

**ON PROMOTING ELECTRICITY PRODUCTION USING  
RENEWABLE ENERGY SOURCES AND HIGHLY  
EFFICIENT COGENERATION**

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**SECTION I  
GENERAL PROVISIONS**

**Article 1**

This Regulation defines the tender conditions, terms, the tender realisation method and the content of the public call for the public offer collection as well as the classification of the production plants for which the public tenders shall be carried out, the method and conditions of the acquisition, realisation and cessation of the rights to promotion through market premium and the promotion through a guaranteed purchase price. Furthermore, this Regulation regulates in details the rights and obligations of the project holder, the privileged producer, the electricity market operator, the transmission system operator and the distribution system operator which are connected with the promotion rights. Also, this Regulation determines the mandatory content of the market premium agreement and the agreement on the electricity purchase through a guaranteed purchase price, the construction deadlines and the guarantees for the promotion payment. Moreover, the Regulation elaborates the conditions related to the refund paid to the name of the promotion in case of the cessation of the promotion rights. The Regulation also determines the following: the methodology for the calculation of maximal electricity referent values, the methodology for the calculation maximal guaranteed purchase electricity prices depending on the production plant type, power and technology, the methodology for the calculation of referent electricity market prices, the classification of production plants depending on the source type, technology and the production plant installed power as well as the method for the realisation of the promotion rights in cases when the waste is used as a raw material in the production plant of the privileged electricity producer in accordance with the waste management order of priority in conformity with the act which regulates sustainable waste management. This Regulation determines the fee which is to be paid by all EKO balance

group members, deadlines determination, payment methods and compensation payment collateral.

## Article 2

This Regulation transfers the provisions of the following EU directives to the legal framework of the Republic of Croatia:

1. Directive 2009/28/EC of the European Parliament and Council of 23 April 2009 on promoting the usage of energy obtained from the renewable energy sources, subsequent amendment and annulment of the Directives 2001/77/EC and 2003/30/EC, which has been amended for the last time with the Council's Directive 2015/1513 of 9 September 2015 and the amendment of the Directive 98/70 on the quality of petrol and diesel fuel as well as the amendment of the Directive 2009/28 on promoting the usage of energy obtained from renewable energy sources (text significant for European Economic Area) (SL L 239, 15 September 2015).

## Article 3

- (1) Expressions used in this Regulation have the meaning determined by the competent act defining renewable energy sources and highly efficient cogeneration, act defining energy sector, act defining electricity market and regulation defining electro-energy system network regulations.
- (2) Certain expressions from this Regulation have the following meaning:
  1. *energy from the environment* – heat energy which is obtained naturally and energy accumulated in the environment within limited area, that is energy which can be stored in the surrounding air (apart from exhaust air) or surface or sewage waters;
  2. *bio-fuel* – liquid bio-fuel intended for use in the traffic and produced from bio-mass;
  3. *power plants using biomass* – technologically independent plant intended for the use of electrical and/or thermal energy obtained from solid biomass from forestry, agriculture and wood-processing industry;
  4. *geothermal energy* – energy stored in the form of heat under the solid Earth surface
  5. *hybrid production plants* – production plants which use at least two different primary energy sources in different processes or which transform one primary energy source into two energy forms and which are connected to electro-energy network through the same calculation and measurement point;
  6. *Innovative technology* – new unproved technology in relation to top technology in the industry; such technology is not an optimization or improvement of the existing technology using primary energy sources and as such, it is not available at the market; its development is ensured by European Union funds.
  7. *Innovative technology usage project* – innovative electricity or high-efficiency cogeneration production project which is based on innovative technology and which is issued with energy approval for the classification needs in accordance with the primary energy source and installed power as defined in the Article 4 of this Regulation; as such, it presents the first project of its kind which is planned for realization."
  8. *installed production plant power* – sum of installed powers of all production units in the production plant;

9. *production unit installed power* – sum of nominal power of all generators which make up the production unit, except in the case of solar power plants based on photo-voltaic module systems whose installed power is a sum of nominal power of all exchangers which connect photo-voltaic modules to the network. In case of a generator which is connected to the network through an inverter, generator's nominal power means total nominal power of generator-inverter combination. Production unit installed power is expressed in kW or MW;
10. *integrated solar power plant* – solar power plant located on the building surface (roofs, covers, shades, balconies, terraces, facades, windows, doors etc.) or infrastructural facilities (substations, bridges and similar structures);
11. *reporting period for privileged producers* – period in which reports, plans and other documents are developed; this is a period during which it is inspected whether efficiency and other conditions for privileged producers are met;
12. *simple production plant* – production plants which are considered simple structures in accordance with the regulations defining simple and other construction works;
13. *cogeneration plant using renewable energy sources* – cogeneration plant which uses primarily renewable energy sources as a primary energy source during electricity production process;
14. *maximal electricity referent value* – value which is determined as an amount and expressed in kn/MWh and which is in accordance with the electricity production expenses per electricity production unit of the referent plant from the certain production plant group and whose construction is encouraged through an agreement on market premium;
15. *maximal guaranteed purchase price* – price which is determined as an amount in kn/MWh and which is in accordance with the electricity production expenses per electricity production unit of the referent plant from the certain production plant group and whose construction is encouraged through an agreement on the electricity purchase at the guaranteed purchase price;
16. *small cogeneration unit* – cogeneration unit with the installed power up to 1 MW;
17. *micro-cogeneration unit* – cogeneration unit with the installed power up to 50 kW;
18. *non-integrated solar power plant* – solar power plant constructed as an independent structure;
19. *calculation period* – time period of one month which the calculation refers to;
20. *backup supply* – electricity production and/or storage plant which enables temporary electricity supply when regular supply from the electro-energy network or production plant is not possible;

21. *connection power* – maximal allowed power value of the permanent electricity takeover from the network and/or maximal allowed power value of the permanent electricity transfer to the network which has been approved to the network user for a certain measurement location;
22. *total annual efficiency* – efficiency indicator for the work of cogeneration plant during reporting period for privileged producers; it is determined in accordance with the regulation on the usage of renewable energy sources and highly efficient cogenerations;
23. *primary energy savings* - efficiency indicator for the work of cogeneration plant during reporting period for privileged producers; it is determined in accordance with the regulation on the usage of renewable energy sources and highly efficient cogeneration.

## **SECTION II**

### **PRODUCTION PLANT CLASSIFICATION**

#### **Production plant classification depending on the source type, technology and installed power**

##### **Article 4**

- (1) For the needs of developing state support program and for the needs of classification which refers to energy approval, and depending on the primary energy source and installed power, the production plants are classified into following groups:
  - a. Solar power plants:
    1. Solar power plant with the installed power of up to and including 50 kW;
    2. Solar power plant with the installed power from over 50 kW to and including 500 kW,
    3. Solar power plant with the installed power from over 500 kW to and including 10 MW,
    4. Solar power plant with the installed power over 10 MW.
  - b. Hydro power plants:
    1. Hydro power plant with the installed power of up to and including 50 kW,
    2. Hydro power plant with the installed power from over 50 kW to and including 500 kW,
    3. Hydro power plant with the installed power from over 500 kW to and including 10 MW,
    4. Hydro power plant with the installed power over 10 MW.
  - c. Wind farms:
    1. Wind farm with the installed power of up to and including 50 kW,
    2. Wind farm with the installed power from over 50 kW to and including 500 kW,
    3. Wind farm with the installed power from over 500 kW to and including 3 MW
    4. Wind farm with the installed power over 3 MW.
  - d. Power plants using bio-mass:
    1. Power plant using bio-mass with the installed power of up to and including 50 kW,
    2. Power plant using bio-mass with the installed power from over 50 kW to and including 500 kW,
    3. Power plant using bio-mass with the installed power from over 500 kW to and including 2 MW,
    4. Power plant using bio-mass with the installed power from over 2 MW to and including 5 MW,
    5. Power plant using bio-mass with the installed power from over 5 MW.

e. Geo-thermal power plants:

1. Geo-thermal power plant with the installed power of up to and including 500 kW,
2. Geo-thermal power plant with the installed power from over 500 kW.

f. Power plants using bio-gas:

1. Power plants using bio-gas with the installed power of up to and including 50 kW,
2. Power plants using bio-gas with the installed power from over 50 kW to and including 500 kW,
3. Power plants using bio-gas with the installed power from over 500 kW to and including 2 MW,
4. Power plants using bio-gas with the installed power from over 2 MW to and including 5 MW,
5. Power plants using bio-gas with the installed power from over 5 MW.

g. Power plants using liquid bio-fuel:

1. Power plants using bio-fuel with the installed power of up to and including 500 kW,
2. Power plants using bio-fuel with the installed power of over 500 kW.

h. Power plants using other renewable energy sources:

1. Plants using energy from the environment;
2. Plants using sea energy,
3. Plants using other non-specified renewable energy sources.

i. Cogeneration plants using waste and other renewable fuels:

1. Micro cogeneration plants with the installed power up to 50 Kw,
2. Small cogeneration plants with the installed power from and including 50 kW to and including 500 MW,
3. Cogeneration plants with the installed power from and including 500 MW to and including 2 MW,
4. Cogeneration plants with the installed power of over 2 MW.

j. Hybrid plants:

1. Hybrid plants with the installed power up to and including 30 KW
2. Hybrid plants with the installed power of over 30 kW and including 500 kW,
3. Hybrid plants with the installed power of over 500 kW.

(2) Considering its network connection method and produced electricity usage method, the production plant from the Paragraph 1 of this Article can be a plant which primarily delivers the produced electricity into electro-energy network and uses one part of the produced electricity for its on consumption.

(3) Considering their construction location, solar power plants can be divided into:

1. integrated solar power plants and
2. non-integrated solar power plants.

(4) Considering bio-gas preparation, power plants using bio-gas can be additionally divided into:

1. Power plants using bio-gas produced from agriculture and organic remaining, plants and animal waste or bio-degradable waste and mud from the waste water treatment device
2. Power plants using landfill gas and gas from the plant used to clean the waste waters.

(5) Considering bio-gas preparation location, power plants using bio-gas can be additionally divided into:

1. Power plants using bio-gas with the bio-gas production plant which is a separate technological unit within the production plant,
2. Power plants using bio-gas which is produced at another location or within a separate plant for bio-gas production at the same location.

(6) Cogeneration plants from the Paragraph 1, Group i) of this Article are cogeneration plants using waste heat which is a product of industrial processes.

(7) For the needs of obtaining the state support, production plants classification determined in this Article also refers to individual production units.

(8) In accordance with the production plant classification, the innovative technology projects have the right to an incentive in the amount of the maximal guaranteed purchase price or maximal electricity referent value determined in accordance with the provisions of this Regulation.

(9) If the production plant consists of several production units, all units are classified individually in accordance with this Article. However, whole production plant can be classified in accordance with this Article if all production units are identical as regards to the basic classification from the Paragraph 1 of this Article. In this case the classification of the whole production plant is determined in accordance with the sum of connection powers for all identical production units.

(10) If the production plant includes the production unit using waste heat from another production unit, than this plant is considered:

a. the only production unit (with two mutually dependant production units)

or

b. two production units – production unit using waste heat is considered a cogeneration plant from the Paragraph 1, Group i) of this Article.

(11) Usage of the waste heat energy from Paragraphs 8 and 9 of this Article has to be in accordance with the provisions of the Regulation defining renewable energy sources and highly efficient cogeneration usage.

(12) Usage of waste in the plants from Paragraph 1, Group 1 of this Article is allowed in accordance with the regulations defining the environment protection, sustainable waste management and other related regulations.

### **SECTION III**

#### **PROMOTION THROUGH MARKET PREMIUM AND GUARANTEED PURCHASE PRICE**

##### **PART I**

#### ***TENDER FOR MARKET PREMIUM AWARD AND TENDER FOR PROMOTION VIA GUARANTEED PURCHASE PRICE***

*Tender implementation conditions, tender implementation method and content of a public call for offers*

*Article 5*

*(1) Electricity market operator implements a public tender for market premium award and/or tender for promotion via guaranteed purchase price at least once a year and within available quotas for the promotion of electricity production from renewable energy sources and highly efficient cogenerations. The above mentioned is implemented in accordance with the valid Regulation defining quotas for the promotion of electricity production from renewable energy sources and highly efficient cogeneration plants.*

*(2) Electricity market operator is obliged to publish a public tender for offers as well as all the participation conditions including maximal referent values and/or guaranteed purchase price for certain plant groups which are defined in the tender, at least two and maximally four months prior to the tender publication date.*

*(3) Public call for tenders from the Paragraph 2 of this Article has to contain minimally the following:*

- 1. Specification of production plants group in accordance with the classification from the Article 4 of this Regulation and from the tender,*
- 2. Defined maximal sum of connection power from the production plants in MW (tender volume) for plants group from the tender in accordance with the available promotion quotas,*
- 3. Maximal referent values in kn/MWh for certain plant groups defined by electricity market operator in accordance with the Article 22 of this Regulation,*
- 4. Provision on the guarantee instruments for the offer severity from the Article 7 of this Regulation;*
- 5. Method of selecting the most favourable tenderer (winning offers) in accordance with the Article 11 of this Regulation*
- 6. Conditions for tender participants and conditions for signing the market premium agreement and/or agreement on electricity purchase at guaranteed purchase price if the tenderer is selected in accordance with the provisions from the Articles 7, 13 and 14 of this Regulation,*
- 7. Form for the delivery of the data relating to tender participants in a unique format.*

*(4) Electricity market operator determines the form and the content of the form for the delivery of relevant data defined in the Paragraph 3, Item 7 of this Article.*

#### *Conditions for tender participation*

##### *Article 6*

*(1) Project holders have the right to the tender participation in accordance with the conditions defined by the competent act determining renewable energy sources and highly efficient cogenerations and in accordance with this Regulation.*

*(2) Project holders participate in the tender by delivering an offer which includes filled in form defined in the Article 5, Paragraph 3, Item 7 of this Regulation as well as other documentation in accordance with the public tender.*

*(3) Project holder can send only one offer for an individual production plant or production unit.*

*(4) If one project holder delivers several offers for the same production plant or unit without cancelling necessary number of offers by the tender opening date in a manner that he is left with only one offer for the production plant or unit, all offers which are delivered for the same production plant or unit shall be determined as invalid and shall not be considered. Electricity market operator shall inform such project holder on the aforementioned in writing.*

(5) *The offers have to include minimally the following:*

- 1. Name and surname, address, personal identification number, telephone number and e-mail address of the project holder if the project holder is a physical person,*
- 2. Company or the name of a legal person, address, personal identification number, telephone number and e-mail address of the project holder, information on the name, surname and personal identification number of the person authorized to represent the company if the project holder is a legal person,*
- 3. Name of the project and project registration number from the Register of Renewable Energy Sources, Cogeneration and Privileged Producers;*
- 4. List of cadastral plots where the plant is to be constructed in accordance with the relevant construction permit,*
- 5. Connection power for the plant with which the project holder takes part in the tender for the award of market premium in kW without decimals, except for the plant groups below 50 kW for which the power is indicated with one decimal,*
- 6. Connection power for the plant with which the project holder takes part in the tender for the promotion via guaranteed purchase price in kW with one decimal,*
- 7. The amount of referent value with which the project holder takes part in the tender for the award of market premium in kn/MWh with two decimals,*
- 8. The amount of purchase price with which the project holder takes part in the tender for the promotion via guaranteed purchase price in kn/MWh with two decimals;*
- 9 Valid location or construction permit or another document which approves construction of the plant except in the case of simple production plants,*
- 10. Previous electro-energy approval or electro-energy approval,*
- 11. Bank guarantee which can be activated upon a call or confirmation of the payment in accordance with the Article 7 of this Regulation,*
- 12. Certificate on received support as defined in the public call which is certified by a notary public,*
- 13. Extract from the suitable register or another institution which is competent for registration or, in case of a physical person, certificate of residence in the Republic of Croatia. Such certificate cannot be older than 30 days from the date of offer delivery,*
- 14. Certificate issued by the tax administration certifying the payment of all due tax obligations and pension and health insurance obligations, as well as of all other public contributions. Such certificate cannot be older than 30 days from the date of offer delivery.*
- 15. Certified statement on non-existence of criminal record provided by a physical person or person who is authorized by the applicant for him/herself and for legal person he/she represents and which proves that there has been no valid verdict for such person as regards to one or more crimes as follows: organized criminal acts, bribery in business activities, bribery in economic business activities, misuse of position and authorizations, misuse of state governmental position, illegal mediation, receiving bribery, fraud, computer fraud, fraud in economic business and covering illegally acquired amount of money. The above mentioned is to be stated in accordance with the form defined in the public call and it should not be older than 30 days from the offer delivery date.*
- 16. Certificate on non-existence of criminal record for a physical person, legal person or authorized person on behalf of the project holder. Such certificate should not be older than 30 days from the offer delivery date.*
- 17. All other documentation and/or information in accordance with the public call.*

(6) In case of an innovative technology usage project, the project holder shall deliver valid evidence proving that the innovative technology project development was financed by the European Union



funds along with the tender for the market premium or incentive via guaranteed purchase price award.”

*(7) In case of a planned production plant reconstruction which is, in accordance with the act defining renewable energy sources and highly efficient cogeneration, considered a new production plant, the project holder is obliged to deliver the following along with the tender for the award of market premium and with the information and documentation defined in the Paragraph 5 of this Article:*

- 1. Description of the existing production plant and planned changes,*
- 2. Detail recording of the existing production plant state before reconstruction; such recording has to be developed and certified by an authorized designer and it has to define reconstruction volume and size,*
- 3. Document certified by a notary public and indicating the value of investment expense structures during production plant reconstruction in accordance with the form which is defined by the electricity market operator at the tender,*
- 4. Usage permit for the existing production plant as an evidence of the production plant age and/or other evidence on the plant age,*
- 5. Production plants for the period of minimally 7 years, including data and explanations as well as documentation pursuant to which the plans have been drafted, including total planned income of the production plant within the calculation period of 7 years.*

*(8) Tender documentation is to be delivered in its original form or certified copy. It should be in a sealed envelope in accordance with the conditions which are defined for each individual tender.*

*(9) After having received certain offer, electricity market operator awards a tender mark to this offer.*

*(10) Until the offer delivery deadline expires, tender participant can make changes and/or amendments to the tender documentation by sending as special letter with the offer mark which was awarded to it at the receipt during the first application and by clearly stating which parts of the tender documentation are being changed or added.*

*(11) Until the offer delivery deadline expires, tender participant can decide not to participate in the tender by sending a written statement on such matter. The letter has to be signed by the tender participant and certified, and it has to contain the tender mark which was awarded to the offer at the receipt.*

*(12) The amount of the referent value from the offer for the award of market premium for a certain group of production plants cannot be larger than maximal referent value defined for such production plant group and published in the public call.*

*(13) The amount of the purchase price from the offer for the promotion via guaranteed purchase price for a certain group of production plants cannot be larger than maximal guaranteed purchase price defined for such production plant group and published in the public call.*

*(14) Minimal and maximal installed power of the plants from the offer for a certain plant group is determined in accordance with the classification from the Article 4 of this Regulation. However, maximal value of the installed capacity for certain offer is limited and defined by the tender volume for that group.*

*(15) If the project holder from the Paragraph 2 of this Article plans to construct a new additional production unit or to reconstruct the existing production unit, then, in the market premium award tender, he is obliged to send an offer for the production plant group which this unit belongs to regardless of the group which the whole production plant prior or after the construction or reconstruction belongs to.*

#### *Evidence on offer severity*

##### *Article 7*

*(1) As component part of the tender documentation, the tender participant is obliged to deliver evidence on offer severity: The evidence can be one of the following:*

*1. Non-transferable, irrevocable and unconditional bank guarantee issued in favour of the electricity market operator – chargeable upon the first call and issued by a business bank which is acceptable to the electricity market operator amounting to 50 HRK per kW of the production plant connection power. Bank guarantee validity deadline is at least 5 weeks after the offer delivery deadline expiry.*

*or*

*2. Evidence on the payment of the amount of 50 HRK per kW of the production plant connection power from the tender, to the account of the electricity market operator defined in the public call.*

*(2) The bank guarantee from the Paragraph 1, Item 1 of this Article or a paid amount from the Paragraph 1, Item 2 of this Article shall be returned to the project holder if:*

*1. He decides not to participate in the tender in accordance with the Article 6, Paragraph 10 of this Regulation,*

*2. His offer is not selected as a winning one,*

*3. His offer is not considered since was proven to be invalid in accordance with the Article 9, Items 1, 2 and 3 of this Regulation,*

*4. His offer is selected as the winning one and he decides to conclude an agreement on market premium with the electricity market operator in accordance with the provisions of this Regulation.*

*(3) If the offer of a certain tender participant is selected as the winning one, but the tender participant does not conclude the agreement on the market premium in accordance with the Article 14 of this Regulation, electricity market operator shall charge a bank guarantee from the Paragraph 1, Item 1 of this Article. Charged amount of the bank guarantee or charged amount from the Paragraph 1, Item 2 of this Article shall not be returned to project holder. It shall be paid to the electricity market operator's account with the purpose of incentive payment.*

*(4) If there is a situation defined in the Article 9, Item 4 and Article 10 of this Regulation, an amount of the charged guarantee from the Paragraph 1, Item 1 of this Article or an amount paid in accordance with the Paragraph 1, Item 2 of this Article shall not be paid back to the project holder. It shall be paid to the electricity market operator's account with the purpose of incentive payment.*

#### *Offer opening and inspection procedure*

##### *Article 8*

*(1) The electricity market operator is authorized to open the letters containing offers only after offer delivery deadline expires.*

*(2) Opening, inspection and recording of all offers and their accompanying amendments are to be implemented by at least three employees of the electricity market operator. They are to be supervised by two authorized persons from the Agency.*

#### *Invalid offers or tenderers*

##### *Article 9*

*The electricity market operator shall inform the project holder/tender participant in writing about invalidity of his offer and state that his offer shall not be considered in the following cases:*

- 1. If the tender participant decided not to participate in the tender in accordance with the Article 6, Paragraph 10 of this Regulation,*
- 2. If the tender does not meet all the requirements defined in the Article 6 of this Regulation,*
- 3. If the offer does not contain all data and documentation defined in the public call,*
- 4. If it is established that the tender participant delivered untrue data or information for this or some of the previous tenders for the market premium award or tenders for the promotion via guaranteed price.*

#### *Repeating the tender*

##### *Article 10*

*(1) If there is suspicion that, during the tender procedure referring to the agreement on the market premium and/or guaranteed purchase price, there might have been manipulation with the tender procedure due to an agreement made among several participants, with the Ministry's approval, the electricity market operator has the right to annul and repeat the tender for one part or for the whole volume from the offers for which there is such suspicion. This is to be implemented within 6 months from the moment when the winning offers are announced.*

*(2) If the tender for a certain plant group is repeated in accordance with the Paragraph 1 of this Article, the repeated tender with complete or partial volume and identical conditions is to be implemented within 5 weeks from the annulment publication referring to the tender or part of the tender which is being repeated.*

#### *Announcing the winning offers*

##### *Article 11*

*(1) After determining invalid offers or tenderers in accordance with the Article 9 of this Regulation, valid offers are classified in accordance with the groups of production plants from the public call.*

*(2) If the sum of connection power from the delivered valid offers is less or equal than the defined tender volume for a certain group of production plants, all delivered valid offers for this group of plants are considered as winning.*

*(3) If the sum of connection power from the delivered valid offers at the tender for the award of market premium is larger than the defined tender volume for a certain plant group, the winners are determined in the following manner:*

- 1. Valid offers for this group of plants are classified in accordance with the referent value from the offer, from the smallest to the largest,*

2. Tenders with the same referent value are classified in accordance with the connection power from the offer, from the smallest to the largest.

(4) If the sum of connection powers from the delivered valid offers at the tender for the promotion via guaranteed purchase price is larger than the defined tender volume for a certain plant group, the winners are determined in the following manner:

1. Valid offers for this group of plants are classified in accordance with the purchase price stated in the offer, from the smallest to the largest,
2. Tenders with the same offered purchase price are classified in accordance with the connection power from the offer, from the smallest to the largest.

(5) All offers are considered winning ones in accordance with the Paragraphs 3 and 4 of this Article if the total sum of connection power from certain offers is less or equal to the total tender volume for that production plant groups.

(6) Connection power from one or sum of connection power from more offers with the same referent value amount or same guaranteed purchase price and connection power immediately after the last offer from the Paragraph 5 of this Article is added to the sum of connection power from the Paragraph 5 of this Article. If a number determined in this manner is less than 100% of the total tender volume for this group of production plants, then one or more offers additionally included by this Paragraph are to be announced as the winning ones.

(7) If the sum of connection power from one or sum of connection power from more offers with the same referent value amount or same offered purchase price and same connection power from the Paragraph 6 of this Article exceeds 100% of the tender volume defined for that production plant group, all offers from the Paragraph 6 of this Article shall not be considered as the winning ones.

Tender results publication and conditions for signing the agreement on the market premium and/or agreement on the electricity purchase via guaranteed purchase price

#### Article 12

At the latest within 30 days from the offer delivery deadline expiry, the market operator is obliged to:

1. Inform the tender participants in writing if their offers are the winning ones in accordance with the Article 11 of this Regulation,
2. Inform the tender participants in writing if their offers are invalid or not considered stating the reason for the aforementioned,
3. Inform the tender participants in writing if their offers are valid but not winning,
4. Publically publish the amounts of the highest and the lowest referent value from the winning offers or amounts of the highest and lowest offered purchase price from the winning offers,
5. Publish an alphabetical list of tender participants, their projects, production plant connection power and local authority of the project taking into consideration tender participants' names.

Plant construction guarantee

#### Article 13

(1) Tender participants with the winning offers are obliged to deliver the guarantee for the plant construction to the electricity market operator within 15 days from the date when they receive the notice defined by the Article 12 of this Regulation. The guarantee can be one of the following:

*1. Non-transferable, irrevocable and unconditional bank guarantee issued in favour of the electricity market operator – chargeable upon the first call and issued by a business bank which is acceptable to the electricity market operator amounting to 300 kn per kW of the winning production plant connection power. Bank guarantee validity deadline is at least 1 year after receiving the notice from the Article 12 of this Regulation.*

*or*

*2. Evidence on the payment of the amount of 300 kn per kW of the winning production plant connection power, to the account of the electricity market operator defined in the public call.*

*(2) If, until the expiry of the deadline of 30 days prior to the expiry of the validity of the bank guarantee from the Paragraph 1, Item 1 of this Article, the project holder does not gain the right to the payment of the market premium or guaranteed purchase price in accordance with the provisions of this Regulation, project holder is obliged to deliver a new non-transferable, irrevocable and unconditional bank guarantee issued in favour of the electricity market operator – chargeable upon the first call and issued by a business bank which is acceptable to the electricity market operator amounting to 300 kn per kW of the winning production plant connection power. Bank guarantee validity deadline is at least 1 year after receiving the notice from the Article 2 of this Regulation. The above mentioned is to be delivered at the latest 30 days prior to the expiry of the validity of the bank guarantee defined in the Paragraph 1, Item 1 of this Article.*

*(3) The project holder is obliged to deliver a new bank guarantee to the electricity market operator upon the first call and in accordance with the Paragraph 2 of this Article until the right to the market premium payment or the right to the guaranteed purchase price is gained in accordance with the provisions of this Regulation.*

*(4) If the project holder does not deliver a new bank guarantee upon the first call to the electricity market operator within a deadline and in a manner defined by the Paragraph 2 and 3 of his Article, the agreement on the market premium or the agreement on the electricity purchase via guaranteed purchase price is terminated.*

*(5) Bank guarantee from the Paragraph 1, Item 1 of this Article or paid amount from the Paragraph 1, Item 2 of this Article and Paragraphs 2 and 3 of this Article for a certain offer shall be returned to the tender participant immediately after realizing the right to a market premium or the right to a payment of the guaranteed purchase price in accordance with the law defining renewable energy sources and highly efficient cogeneration and in accordance with the provisions of this Regulation.*

*(6) If the tender participant does not realize the right to a market premium payment or the right to a payment of the guaranteed purchase price in accordance with the act defining renewable energy sources and highly efficient cogeneration and pursuant to the provisions of this Regulation, or if the premium market agreement or agreement on the electricity purchase via guaranteed purchase price is terminated prior to realizing the right to a market premium payment or the right to a payment of the guaranteed purchase price, the amount of the charged bank guarantee from the Paragraph 1, Item 1 of this Article and Paragraphs 2 and 3 of this Article or an amount defined in the Paragraph 1, Item 2 of this Article shall be paid to the electricity market operator's account with the purpose of incentive payment.*

*Concluding market premium agreement or agreement on the guaranteed purchase price*

*Article 14*

*(1) Within 15 days from the date of the delivery of the guarantee for the production plant construction, the electricity market operator is obliged to deliver a signed proposal of the agreement on the market premium or on the electricity purchase via guaranteed purchase price to the winning project holders who, within 15 days from the receipt of the notice from the Article 12 of this Regulation delivered a guarantee for the plant construction in accordance with the Article 13 of this Regulation. The above mentioned agreements have to contain the conditions and have a content defined in the Article 15 of this Regulation. Furthermore, they have to state referent value from the winning offer or guaranteed purchase price which is equal to the one in the offer.*

*(2) If the project holder does not deliver a sign agreement to the electricity market operator within 30 days from the date of the receipt of the signed agreement proposal from the Paragraph 1 of this Article, it shall be considered that the project holder decided not to conclude the market premium agreement or the agreement on the guaranteed purchase price.*

#### *Mandatory agreement content*

##### *Article 15*

*(1) The electricity market operator concludes the market premium agreement with the project holders who won at the implemented public tender for the award of the market premium in accordance with the Article 11 of this Regulation.*

*(2) The electricity market operator concludes the agreement on the electricity purchase via guaranteed purchase price with the project holders who won at the implemented public tender for the promotion via guaranteed purchase price in accordance with the Article 11 of this Regulation. Pursuant to the above mentioned agreement and in accordance with the conditions stated in the agreement, the project holder realizes the right to the electricity purchase per price defined in the project holder's winning offer.*

*(3) The agreement from the Paragraphs 1 and 2 of this Article is concluded to a definite period of time lasting 12 years. This period is calculated from the date when the status of privileged electricity producer is gained.*

*(4) The agreement from the Paragraphs 1 and 2 of this Article defines minimally the following:*

- 1. Agreement term,*
- 2. Project name and register number from the Register of Renewable Energy Sources, Highly Efficient Cogeneration and Privileged Producers,*
- 3. List of cadastral plots where the production plant is to be constructed,*
- 4. Winning production plant connection power expressed in kW without decimals,*
- 5. Information on the valid location permit or construction permit or another document approving the plant construction except if it is a production plant which is considered a simple structure.”*
- 6. Information from the previous electro-energy approval for the connection to the network or electro-energy approval,*
- 7. That the amount of electricity referent value determined in the market premium agreement or the amount of purchase price determined in the agreement on electricity purchase via guaranteed purchase price is corrected every year in relation to the determined corrected electricity referent value or determined corrected purchase price from the previous year. The above is to be implemented by applying Average Annual Consumer Prices Index published by the State Statistics Institute for the previous calendar year for all concluded and valid market*

*premium agreements or agreements on electricity purchase via guaranteed purchase price. The first correction of the electricity referent value or the amount of the guaranteed purchase price is applied in the calendar year following the year, in which the agreement was concluded,*

*8. That the payment of the market premium or guaranteed purchase prices starts after the project holder gains the status of the privileged producer in relation to the production plant or unit from the agreement and after the project holder delivers the documentation from the Article 17 of this Regulation to the electricity market operator,*

*9. That the market premium agreement or agreement on the electricity purchase via guaranteed purchase price shall be terminated if the project holder loses his privileged producer status in relation to the production plant or unit from the market premium agreement or agreement on the electricity purchase via guaranteed purchase price,*

*10. Provision on the deadlines for the production plant construction,*

*11. Provision on the construction guarantee from the Article 13 of this Regulation,*

*12. Provision on the possibility of transfer of the claim from the agreement in accordance with the Article 18, Paragraph 4 of this Regulation,*

*13. Provision on the agreement termination and termination of the guarantee for the payment of market premium or guaranteed purchase price.*

*(5) Apart from the items stated in the Paragraph 4 of this Article, the market premium agreement also defines the following:*

*1. Local authority where the production plant is to be constructed in accordance with the relevant construction permit,*

*2. Referent value amount from the winning offer in HRK/kWh with two decimals,*

*3. That the market premium is paid pursuant to net delivered electricity in a monthly calculation period,*

*4. Market premium payment deadlines and conditions,*

*5. That the market premium amount is determined pursuant to the Methodology for the calculation of the referent market prices in accordance with this Regulation,*

*6. That the market premium is paid only for net energy delivered in the calculation period (hours) and for which the value is greater or equal to zero (0).*

*(6) Apart from the items stated in the Paragraph 4 of this Article, the agreement on the electricity purchase via guaranteed purchase price also defines the following:*

*1. Amount of the guaranteed purchase price,*

*2. That 50% of the guaranteed purchase price determined in the agreement on the electricity purchase via guaranteed purchase price is paid during the trial work period.*

*(7) Market premium agreement or agreement on the electricity purchase via guaranteed purchase price is to be terminated if it has been established that the privileged producer gain the right to a market premium payment or guaranteed purchase price pursuant to untrue data.*

*(8) Market premium agreement or agreement on the electricity purchase via guaranteed purchase price is to be terminated if the privileged producer and/or production plant cease to meet the conditions defined by the act which regulates renewable energy sources and highly efficient cogeneration and by this Regulation.*

## **PART II**

### **METHOD AND CONDITIONS FOR GAINING, REALIZING AND CANCELLATION OF PROMOTION RIGHT**

*Method and conditions for gaining, realization and cancellation of a promotion via market premium or guaranteed purchase price*

#### Article 16

*(1) Right to a market premium payment or right to a guaranteed purchase price is gained by the electricity privileged producer for the production plant using renewable energy sources or highly efficient cogeneration. However, the following conditions have to be met:*

- 1. Market premium agreement or agreement on the electricity purchase via guaranteed purchase price has to be concluded with the electricity market operator,*
- 2. Executive decision as regards to electricity privileged producer status has to be obtained, or in the case of simple production plants, electricity privileged producer status has to be obtained in accordance with the provisions defining the status of privileged producer.*
- 3. That he met or permanently meets the conditions defined in the provisions of this Regulation.*

*(2) Market premium agreement or agreement on the electricity purchase via guaranteed purchase price is to be applied from the date when it was concluded, except the part of the agreement referring to market premiums or guaranteed purchase price.*

*(3) Privileged electricity producer loses his right to the market premium payment or right to a guaranteed purchase price in the following cases:*

- 1. Termination of the market premium agreement or agreement on the electricity purchase via guaranteed purchase price,*
- 2. Privileged electricity producer status ceases to exist,*
- 3. Production plant and/or privileged producer ceases to meet the conditions defined by the act determining renewable energy sources and highly efficient cogeneration, by the decision on gaining the status of privileged electricity producer, by this Regulation and market premium agreement or agreement on electricity purchase via guaranteed purchase price.*

#### Article 17

*(1) Privileged producer realizes the right to the market premium payment or guaranteed purchase price after he delivers the following to the electricity market operator:*

- 1. Executive decision on gaining the status of privileged electricity producer,*
- 2. Statement on all received state supports at the form which is defined by the electricity market operator, not older than 30 days from the delivery date.*

*(2) If it is a simple production plant, privileged producer is obliged to deliver the following documentation to the electricity market operator with the purpose of realizing the right to the market premium or guaranteed purchase price:*

- 1. Evidence on permanent connection to electro-energy network,*
- 2. Certificate issued by tax administration as regards to the payment of all due tax obligations, pension and health insurance obligations and other public contributions. Such certificate cannot be older than 30 days from the delivery date.*
- 3. Certified statement on non-existence of criminal record provided by a physical person or person who is authorized by the applicant for him/herself and for legal person he/she represents and which proves that there has been no valid verdict for such person as regards to one or more crimes as follows: organized criminal acts, bribery in business activities, bribery in economic business activities, misuse of position and authorizations, misuse of state governmental position, illegal mediation, receiving bribery, fraud, computer fraud, fraud in economic business and covering illegally acquired amount of money. The above mentioned is to be stated in accordance with the form defined in the public call and it should not be older than 30 days from the offer delivery date.*



4. Certificate on non-existence of criminal record for a physical person, legal person or authorized person on behalf of the project holder. Such certificate should not be older than 30 days from the offer delivery date.
5. Certificate on all received state supports on the form defined by the electricity market operator. Such certificate should not be older than 30 days from the delivery date.

**PART III**  
**PROJECT HOLDER, PRIVILEGED PRODUCER, ELECTRICITY MARKET OPERATOR,  
TRANSMISSION SYSTEM OPERATOR, AND DISTRIBUTION SYSTEM OPERATOR'S RIGHTS AND  
OBLIGATIONS IN RELATION TO INCENTIVE RIGHTS**

*Project holder and privileged producer's rights and obligations*

*Article 18*

*(1) The project holder who concluded the market premium agreement or the electricity purchase contract based on the guaranteed purchase price with the electricity market operator is obliged to build a production plant and obtain the status of a privileged producer in accordance with the concluded contract.*

*(2) If the project holder that is the privileged producer changes during the market premium agreement validation period or the electricity purchase contract based on the guaranteed purchase price, the new project holder that is the privileged producer is obliged to submit the original version or certified copy of the below-mentioned documentation to the electricity market operator:*

- 1. Enforcement decision on the amendment to the Decision on acquiring the status of the privileged producer.*
- 2. Certificate issued by the Tax Administration on the payment of all due tax liabilities and the pension insurance institute and health insurance fund liabilities and other public levies. The certificate must not be older than 30 days from the submission date.*
- 3. Criminal Records Office certificate which the natural person submits on his/her behalf that is the request submitter's responsible person on his/her behalf and on behalf of a legal person whom he/she is authorised to represent. The certificate must be certified by a notary public and not older than 30 days from the submission date. This certificate must state that there is no final judgement reached against the statement submitter for one or more of the following criminal offences: committing criminal offence through criminal association, accepting a bribe in business activities, offering a bribe in business activities, abuse of position and powers, abuse of state power, illegal mediation, accepting a bribe, offering a bribe, fraud, computer fraud, fraud in business activities and hiding unlawfully obtained financial benefits in accordance with the form determined by the public invitation.*
- 4. Criminal Records Office certificate issued for the natural person that is the legal person and the request submitter's responsible person. The certificate must not be older than 30 days from the submission date.*
- 5. Statement on all received state aids not older than 30 days from the submission date. The statement has to be drawn up in a form defined by the electricity market operator.*

*(3) The project holder that is the privileged producer is obliged to inform the transmission system operator and/or the distribution system operator within 30 days about each and every change caused by the project holder that is the privileged producer.*

*(4) The project holder that is the privileged producer can assign the receivables from the market premium agreement or the electricity purchase contract based on the guaranteed purchase price only for the purpose of ensuring the loan for the construction of the production plant mentioned in the market premium agreement or the electricity purchase contract based on the guaranteed purchase price. For that purpose the project holder is allowed to institute a lien over the claims arising from the agreement via financial institutions which fund the construction of the production facility mentioned in the market premium agreement that is the electricity purchase contract based on the guaranteed purchase price in accordance with the special regulations.*

*(5) The privileged producer is obliged to submit the Statement on all received state aids by the time the Decision on acquiring of the status of privileged producer becomes valid. The privileged producer is obliged to do the above-mentioned so he could exercise the right to the incentive payments and the determination of the market premium that is the guaranteed price.*

*(6) If the project holder uses of any form of the aid for the construction of the production facility that is the production plant, the electricity market operator shall reduce its market premium amount that is the guaranteed price in accordance with the methodology for state aids for renewable energy sources.*

*(7) If the electricity market operator requests so, the project holder that is the privileged producer is obliged to submit all the requested documentation and data for the purpose of the examination of the documentation based on which he acquires or has acquired the rights based on this Regulation and on the Act on Renewable Energy Sources and Highly Efficient Cogeneration.*

*(8) The privileged producer is obliged to continually meet the conditions based on which he acquired the status of privileged producer, as well as the conditions arising from this Regulation and other technical and production conditions related to the production plant for which he acquired the status of privileged producer. The conditions have been determined by the Act on Renewable Energy Sources and Highly Efficient Cogeneration.*

*(9) The privileged producer is obliged to continually fulfil the efficiency conditions and the conditions regarding raw material use that is the fuel based on which he exercises the right to the payment of market premium or guaranteed purchase price.*

*(10) The privileged producer is obliged to submit the annual production plans, monthly data and reports on the realisation of annual production plans in accordance with the provisions of the Regulation on Promoting Electricity Production Using Renewable Energy Sources and Highly Efficient Cogeneration.*

*(11) The project holder that is the privileged producer is obliged to meet all other obligations determined by this Regulation and by the Act on Renewable Energy Sources and Highly Efficient Cogeneration.*

*Electricity market operator's rights and obligations and the calculation of the market premium and guaranteed purchase price payment*

*Article 19*

*(1) The electricity market operator is obliged to meet the below-mentioned conditions in accordance with the provisions of this Regulation and the Act on Renewable Energy Sources and Highly Efficient Cogeneration:*

- carry out tenders for the market premium assignment and guaranteed purchase price stimulation,*
- conclude the market premium agreements and electricity purchase contracts based on the guaranteed purchase price with the project holders whose offers have been voted the best,*
- pay a monthly market premium calculated for the net electricity delivered to the privileged producer, with whom he concluded the market premium agreement,*
- pay a monthly guaranteed purchase price for the net electricity delivered to the privileged producer with whom he concluded the electricity purchase contract based on the guaranteed purchase price.*

*(2) The electricity market operator pays the claims from Paragraph 1, Subparagraph 3 and 4 of this Article within 30 days from the date the invoice is issued by the privileged producer who exercises the right to the incentive payment.*

*(3) The electricity market operator is authorised to request from the privileged producer who exercises the right to aids the submission of the documentation and data necessary for the verification of the incentive payment conditions.*

*(4) The electricity market operator is obliged to meet all the other obligations determined by this Regulation and the Act on Renewable Energy Sources and Highly Efficient Cogeneration.*

*Transmission system operator that is the distribution system operator's obligations and the measurement data submission*

*Article 20*

*(1) The transmission system operator and distribution system operator are obliged to ensure and submit to the electricity market operator the measurement data necessary for the calculation of the market premium and guaranteed purchase price incentives including the data related to the EKO balance group members' electricity production planning in accordance with the provisions of this Regulation and the Act on Renewable Energy Sources and Highly Efficient Cogeneration.*

*(2) The transmission system operator that is the distribution system operator is obliged to ensure that the project holder, who concluded the electricity purchase contract based on the guaranteed purchase price with the electricity market operator, can perform the measurement of the net electricity delivered into an electro energy network during the trial work period until the electricity purchase contract becomes enforceable.*

*(3) During the trial work period from Paragraph 2 of this Article, the transmission system operator that is the distribution system operator is obliged to submit the measurement data for the calculation of electricity delivered into an electro energy system to the electricity market operator no later than the 10th of each month after the month in which the project holder acquired the status of the privileged producer.*

*(4) The transmission system operator and distribution system operator are obliged to submit the data on the total net electricity delivered to the electricity market operator for each*

*production plant that is the production unit for which they have concluded the market premium agreement or the electricity purchase contract based on the guaranteed purchase price or the electricity purchase contract based on the Tariff System for the Power Production from Renewable Energy Sources and Cogeneration ("Official Gazette", no. 33/07), the Tariff system for the Power Production from Renewable Energy Sources and Cogeneration ("Official Gazette", no. 63/12, 121/12, 144/12) or the Tariff System for the Power Production from Renewable Energy Sources and Cogeneration ("Official Gazette", no. 133/13, 151/13, 20/14, 107/14, 100/15) with the electricity market operator no later than the 10th of each month and in accordance with the Regulation on Promoting Electricity Using Renewable Energy Sources and Highly Efficient Cogeneration.*

*(5) The transmission system operator and distribution system operator are obliged to fulfil all the other obligations determined by this Regulation and by the Act on Renewable Energy Sources and Highly Efficient Cogeneration.*

## **METHODOLOGY FOR THE CALCULATION OF MAXIMAL REFERENT VALUES AND MAXIMAL GUARANTEED PURCHASE PRICES**

### Article 21

(1) Methodology for calculation of maximal referent values and maximal guaranteed purchase prices defines maximal referent values and maximal guaranteed purchase prices calculation method with the purpose of implementing a tender for awarding market premium and tender for promotion using guaranteed purchase price.

(2) Values of all input parameters and values calculated using Methodology for the Calculation of Maximal Referent Values and Maximal Guaranteed Purchase Prices are expressed and calculated in suitable units and rounded to two decimals.

(3) Methodology for the calculation of maximal referent values and maximal guaranteed purchase prices as defined in the Paragraph 1 of this Article is to be applied for innovative technology plant groups in accordance with the energy approval.

### Article 22

(1) At the latest by 1 April and at its website, electricity market operator determines and publishes maximal referent values from the system of promotion via market premium and maximal guaranteed purchase price for production plants groups in accordance with the classification from the Article 4 of this Regulation.

(2) Maximal referent prices and maximal guaranteed purchase prices from the Paragraph 1 of this Article are determined in accordance with the Methodology for the Calculation of Maximal Referent Values and Maximal Guaranteed Purchase Prices and in accordance with the input parameters defined in the Article 24 of this Provision which are defined for the current year.

### Article 23

Production expenses value is calculated pursuant to the evaluation of total annual electricity production expenses from the referent production plant. Furthermore, they are expressed in kn/MWh and determined by electricity market operator once per year for production plants groups in accordance with the classification from the Article 4 of this Regulation and in accordance with the calculation made pursuant to the Methodology for the Calculation of Maximal Referent Values and Maximal Guaranteed Purchase Prices. The calculation is made

pursuant to the value of input parameters from the Article 24 of this Regulation which are to be determined by the electricity market operator for each production plant group.

#### Article 24

(1) Parameters which are used for the calculation of referent production plants production expenses are as follows:

1. Annual equivalent work hours for the production plant  $f_{lh}$  [h],
2. Electric efficiency for the production plant  $E_{\eta}$  [%],
3. Heat efficiency for the production plant  $H_{\eta}$  [%],
4. Personal financing portion in the investment expenses  $e_q$  [%],
5. Required return rate for personal investment  $r_{oe}$  [%],
6. Interest rates to loaned fund  $r$  [%],
7. Weighted average return rate to capital WACC [%],
8. Period of premium agreement or agreement on purchase via guaranteed purchase price  $n$  [god],
9. Total investment expenses per installed power unit  $Inv$  [kn/MW],
10. Total annual operative expenses (without fuel expenses) per installed power unit  $Op$  [kn/MW],
11. Fuel expenses per unit determining fuel lower energy value  $G_{or}$  [kn/MWh],
12. Investment expenses per unit determining electricity production  $T_{inv}$  [kn/MWh],
13. Operative expenses (without fuel expenses) per unit determining electricity production  $T_{op}$  [kn/MWh],
14. Total fuel expenses per unit determining electricity production  $T_{g\ or}$  [kn/MWh],
15. Heat energy calculation value  $V_{top}$  [kn/MWh],
16. Produced heat energy value per electricity production unit  $P_{top}$  [kn/MWh].

(2) Parameters: “electric efficiency”, “heat efficiency”, “fuel expenses” and “produced heat energy value” are used only when calculating the production expenses for the plants from the groups determined in the Article 4, Paragraph 1 d), f), g) of this Regulation. When calculating production expenses for plants from the other groups, the above mentioned parameters are not used. In other words, in formulas from Article 26 of this Provision, value 0 is to be applied.

(3) Investment and annual operative expenses (without fuel expenses) are determined in HRK per MW of the plant installed power.

(4) Total fuel expenses are determined in HRK per MWh. Lower fuel energy value is used as fuel energy value.

(5) Heat energy calculation value (internalized heat energy unit value) is expressed in HRK per MWh and added to the useful energy from cogeneration process.

(6) Investment expenses include the following: project development expenses, land purchase expenses or expenses referring to construction right realization, project documentation expenses, expenses referring to the studies which are necessary for construction preparation and construction, construction works, equipment supply, expenses referring to connection to public energy infrastructure and other infrastructure, financial structure expenses, expenses referring to expert and other services which are necessary for preparation, construction and commissioning of the production plant.

(7) Operative expenses include: plant maintenance expenses, production plant management expenses, expenses for the salaries of the employees, administration and insurance expenses, expenses for all fees, expenses for equipment maintenance and expert and other services which are necessary for production plant functioning.

(8) Electricity market operator determines investment and operative expenses pursuant to the analysis of the market parameters for the project development in the Republic of Croatia and European Union. While doing so, the electricity market operator takes into consideration the specificity of different technologies, advancement in technology development and experiences in production plant usage, as well as fuel or raw materials price and trends and other important parameters.

(9) Electricity market operator determines input parameter values in a manner that they present average values for the period of market premium agreement or agreement on the electricity purchase per guaranteed purchase price. Expected changes of the values, expected increase or decrease of fuel expenses, increase or decrease of maintenance expenses and other operative expenses are taken into consideration.

*Revising input parameters value*

Article 25

By 31 January, the electricity market operator is obliged to revise the values of input parameters defined in the Article 24 of this Regulation for the production plant groups in accordance with the classification from the Article 4 of this Regulation. Furthermore, in accordance with the revised input parameters, he is obliged to determine new amounts of maximal referent values and maximal guaranteed purchase prices.

*Production expenses calculation*

Article 26

(1) Production expenses per production unit are calculated in accordance with the following formula:

$$PT = T_{inv} + T_{op} + T_{gor} - P_{top}$$

(2) The amount of investment expenses per production unit  $T_{inv}$  is calculated using annuity method in a manner that the requested return on invested capital is ensured during the period of the agreement on market premium or agreement on electricity purchase per guaranteed purchase price. The above mentioned is calculated in accordance with the following formula:

$$T_{inv} = \frac{Inv \cdot WACC \cdot (1 + WACC)^n}{flh \cdot (1 + WACC)^n - 1}$$

(3) Weighted average return rate on capital is calculated in accordance with the following formula:

$$z = ACC = q \cdot roe + (1 - eq) \cdot r,$$

(4) Operative expenses (without fuel expenses) per produced electricity unit [HRK/MWh] are calculated in accordance with the following formula:

$$T_{op} = \frac{Op}{flh}$$

(5) Fuel expenses per produced electricity unit [HRK/MWh] are calculated in accordance with the following formula:

$$T_{gor} = \frac{G_{or}}{E\eta},$$

(6) The value of produced heat energy per produced electricity unit [HRK/MWh] is calculated in accordance with the following formula:

$$P_{top} = \frac{V_{top} \cdot H\eta}{E\eta},$$

#### **PART IV**

##### **METHODOLOGY FOR THE CALCULATION OF ELECTRICITY REFERENT MARKET VALUES**

###### **Article 27**

(1) Methodology for the calculation of referent market prices defines the method for the calculation of referent market prices for certain production plant group with the purpose of calculating the market premium.

(2) The values of all input parameters and the values calculated using Methodology for the Calculation of Referent Market Prices are expressed and calculated in suitable units and rounded to two decimals.

###### **Article 28**

(1) Every month, at the latest by the 15 in a month, the electricity market operator is obliged to determine electricity referent market prices for each production plant group from the Article 4 of this Regulation in accordance with the Methodology for the Calculation of Referent Market Prices. The above prices are defined for the previous month.

(2) Exceptionally from the Paragraph 1 of this Article, referent market prices are not to be determined for those production plant groups which do not have the right to a payment of incentive in accordance with the concluded agreements on market premium.

##### **Referent market prices calculation**

###### **Article 29**

- (1) Referent market price  $k_{SE} \cdot RTC_{SE}$  is determined for the production plants from the group determined in the Article 4, Paragraph 1 of this Regulation.
- (2) Referent market price  $k_{VE} \cdot RTC_{VE}$  is determined for the production plants from the group determined in the Article 4, Paragraph 1 of this Regulation.
- (3) Unique referent market price  $k \cdot RTC$  is determined for all other production plants except from the groups which are determined in the Article 4, Paragraph 1 a) and c).
- (4) For 2019 and 2020, correction factors are as follows:

$$k = ,95$$

$$k_{SE} = ,9$$

$$k_{VE} = ,85$$

- (5) Starting from 2021, correction factor values increase every year for the following amounts and in relation to the values defined in the previous year:

- Correction factor  $k$  is increased for the amount of 0,005,
- Correction factor  $k_{SE}$  is increased for the amount of 0, 01,
- Correction factor  $k_{VE}$  is increased for the amount of 0,015.

(6) After 2030, all correction factors have value 1.

#### Article 30

(1) Values  $RTC$ ,  $RTC_{SE}$  and  $RTC_{VE}$  from the Article 29 of this Regulation are calculated each month in accordance with the following formulas:

$$RTC_{=i>} = \frac{\sum_{i=i>}^n RSTC_i}{n}$$

$$RTC_{SE=i>} = \frac{\sum_{i=i>}^n (RSTC_i \cdot SE_i)}{\sum_{i=i>}^n SE_i}$$

$$RTC_{VE=i>} = \frac{\sum_{i=i>}^n (RSTC_i \cdot VE_i)}{\sum_{i=i>}^n VE_i}$$

whereas:

1.  $i$  – ordinal number of the calculation period in a month for which the calculation is performed
2.  $n$  – number of calculation periods in a month for which the calculation is performed
3.  $RTC_i$  – referent electricity price for the monthly calculation period for which the calculation is made [HRK/MWh]
4.  $RSTC_i$  – determined one day ahead referent hourly electricity price for the calculation period  $i$  [HRK/MWh]
5.  $RTC_{SE}$  – referent market price for the solar power plants for the monthly calculation period for the purpose of the market premium calculation [HRK/MWh]
6.  $RTC_{VE}$  referent market price for the wind farms for the monthly calculation period for the purpose of the market premium calculation [HRK/MWh]
7.  $SE_i$  net delivered electricity from all the solar power plants in the Republic of Croatia in the calculation period  $i$  for which the electricity market operator possesses data in accordance with the Article 20 of this Regulation [MWh]
8.  $VE_i$  net delivered electricity from all the wind farms in the Republic of Croatia in the calculation period  $i$  for which the electricity market operator possesses data in accordance with the Article 20 of this Regulation [MWh].

(2) Calculation period from the previous Paragraph of this Article is 1 hour.

(3) The value of referent hourly electricity market prices  $RSTC_i$  from the Paragraph 1 of this Article, for each calculation period in a month is calculated in accordance with the following formula:

$$RSTC_i = CROPEXi$$



whereas:

$CROPEX_i$  – determined one day ahead hourly electricity price for the calculation period  $i$  and at Croatian electricity market CROPEX (<http://www.cropex.hr/>) [HRK/MWh]

(4) If the hourly prices from the market stated in the Paragraph 3 of this Article are currently not available, electricity market referent price is used for the calculation period for electricity market referent price for the same calculation period of the previous day.

(5) The hourly prices from the Paragraph 1 of this Article are to be transferred into HRK in accordance with the average monthly exchange rate defined by the Croatian National Bank for the corresponding currency in the corresponding calculation period.

#### Article 31

Market premium is to be paid to the privileged producers only for net delivered electricity which was delivered in the calculation periods (hours) and with  $RSTC_i$  value which is greater than or equal to zero.

### **PART VI OTHER PROVISIONS**

*Terms for acquiring the status of the privileged producer for the production plant for which the market premium agreement or the electricity purchase contract based on guaranteed purchase price have been concluded*

#### Article 32

(1) The project holder who concluded the market premium agreement or agreement on the electricity purchase via guaranteed purchase price with the electricity market operator has to gain electricity privileged producer status within 4 years for the production plant or unit with the concluded market premium agreement or agreement on the electricity purchase via guaranteed purchase price.

(2) The beginning of the deadline from the Paragraph 1 of this Article is calculated from the date of concluding the market premium agreement or agreement on the electricity purchase via guaranteed purchase price. The Agreement is concluded once it is signed by both contractual parties.

(3) If the project holder fails to deliver the evidence proving the privileged electricity producer status to the electricity market operator, within a deadline defined in the Paragraph 1 of this Article, in accordance with the Regulation defining renewable energy sources and high-efficiency cogeneration usage, the project holder shall deliver the operator with the acts and documentation related to the change at the latest within 30 days from such change.”

(2) *The terms from Paragraph 1 of this Article shall run from the date the market premium agreement or the electricity purchase contract based on the guaranteed purchase price have been concluded. The contract is considered concluded on the date both contracting parties have placed their signatures.*

(3) *If the project holder does not submit the proof of acquiring the status of the privileged producer to the electricity market operator within the above-mentioned terms and in accordance with the Regulation on Promoting Electricity Production Using Renewable Energy Sources and Highly Efficient Cogeneration, the market premium agreement and the electricity*

*purchase contract based on the guaranteed purchase price concluded with the electricity market operator shall be terminated.*

#### *Article 33*

*If the project holder does not build the production plant within the terms prescribed by the building approval regulation this shall result in the expiration of the mission act, therefore the market premium agreement that is the electricity purchase contract based on the guaranteed purchase price concluded with the electricity market operator shall be terminated.*

#### *Changes during the building stage of the production plant*

##### *Article 34*

*(1) If the project holder who concluded the market premium agreement or the electricity purchase contract based on the guaranteed purchase price with the electricity market operator has made changes to the location permit and/or location conditions in relation to the tender documentation based on which the contract has been concluded with the electricity market operator, the project holder is obliged to submit the acts and all other documentation related to the changes to the electricity market operator no later than 30 days from the date the changes started.*

*(2) If the changes from Paragraph 1 of this Article cause the increase of the production plant's envisaged power, the market operator shall terminate the market premium agreement or the electricity purchase contract based on the guaranteed purchase price.*

##### *Article 35*

*Prior to the market premium and guaranteed power purchase price payment, the project holder that is the privileged producer is obliged to submit the statement on all received aids to the electricity market operator. The statement must be drawn up in a form defined by the electricity market operator and not older than 30 days from the submission date.*

#### *Conditions related to the refunds paid on behalf of incentives in case of the cessation of the incentive rights*

##### *Article 36*

*(1) If the market premium agreement or the electricity purchase contract based on the guaranteed purchase price are to be terminated due to the false data pursuant to Article 15, Paragraph 7 of this Regulation, the privileged producer is obliged to repay the electricity market operator the total amount of the used aid increased by 100 basis points plus base reference rate which is determined and published in accordance with the valid rules on the state aids.*

*(2) If the market premium agreement or the electricity purchase contract based on the guaranteed purchase price have not been terminated, and yet the Agency determines irregularities or shortcomings related to the operation of the production plant for which the market premium agreement or the electricity purchase contract based on the guaranteed purchase price have been concluded that is when the Agency determines that the production plant does not meet the conditions based on which the status of the privileged producer has*

*been acquired, it is the Agency's responsibility to inform the electricity market operator about the established irregularities and shortcomings.*

*(3) In relation to Paragraph 2 of this Article, the privileged producer is not entitled to the market premium payment during the period in which he is obliged to eliminate shortcomings and irregularities and up to the elimination of the established irregularities and shortcomings. If the privileged producer has concluded the electricity purchase contract based on the guaranteed purchase price, the electricity market operator pays him the reference market price within the stated term.*

*(4) If the market premium that is the guaranteed purchase price has been paid to the privileged producer within the term stated in Paragraph 3 of this Article as well as within the term in which the production plant did not meet the conditions based on which the status of the privileged producer has been acquired, the privileged producer is obliged to repay the electricity market operator the total amount within 30 days.*

**SECTION IV**  
**BALANCING COSTS' COMPENSATION PAID BY THE EKO BALANCE GROUP**  
**MEMBERS**  
**Balancing costs' compensation**

**Article 37**

*(1) EKO balance group members whose connecting power exceeds 50 kW are obliged to pay the electricity market operator a monthly compensation for the costs determined by the balancing energy calculation (hereinafter: balancing costs' compensation).*

*(2) The balancing costs' compensation from Paragraph 1 of this Article is calculated in HRK per kWh of the net electricity delivered into an electro energy network with two decimal places for the calculation period of one month.*

*(3) The balancing costs' compensation for the EKO balance group members whose production plants are from the groups defined by Article 4, Paragraph 1 a) of this Regulation amounts to 0.01 HRK per kWh of the net electricity delivered into an electro energy network.*

*(4) The balancing costs' compensation for the EKO balance group members whose production plants are from the groups defined by Article 4, Paragraph 1 c) of this Regulation amounts to 0.015 HRK per kWh of the net electricity delivered into an electro energy network.*

*(5) The balancing costs' compensation for the EKO balance group members whose production plants are from the other groups defined by Article 4 of this Regulation amounts to 0.003 HRK per kWh of the net electricity delivered.*

*(6) Every EKO group member is obliged to duly pay the balancing costs' compensation in accordance with this Regulation.*

*(7) The payment of the balancing costs' compensation is due 10 days from the date the invoice for the balancing costs' compensation is issued by the electricity market operator.*

*(8) The balancing costs' compensation amount is adjusted at the beginning of every current year in relation to the balancing costs' compensation amount from the previous year by a percentage which is identical to the value change of the Average annual consumer price index released by the Croatian Bureau of Statistics for the previous year. The first adjustment of the balancing costs' compensation amount is applied from the beginning of the year which follows the year when this Regulation was adopted.*

*(9) The balancing costs' compensation amount for the current year is adjusted in the following cases:*

- 1. The first adjustment is not performed in the first incomplete year and for the first two complete years since the beginning of the operation of EKO balance group members,*
- 2. the first adjustment is performed if the realised unit balancing costs of EKO balancing group members from the previous year are by 10% higher or lower than the unit costs realised in the first complete year since the beginning of the operation of EKO balance group members,*
- 3. every following adjustment is performed if the unit balancing costs of EKO balance group members from the previous year are by 10% lower than the unit balancing costs of EKO balance group members realised in the year in which the last adjustment of the compensation amount for balancing costs was performed in accordance with this Article,*
- 4. the balancing cost' compensation amount is reduced that is increased by a percentage which corresponds a total percentage rounded to one decimal place of reduced or increased unit balancing costs of EKO balance group members in accordance with the Items 1 or 2 of this Paragraph.*

*(10) Unit balancing costs from Paragraph 9 of this Article are calculated as a ratio of total annual balancing costs of EKO balance group members and total net electricity in HRK/MWh delivered by EKO balance group members in that year.*

*(11) The balancing costs' compensation amount for EKO balance group members is calculated for net electricity delivered from 1st January 2019.*

*(12) Electricity market operator has the right to charge for the adjusted balancing costs' compensation rounded to three decimal places as soon as the conditions for the adjustment of balancing costs compensation are met with prior notice sent to EKO balance group members acting as balancing costs' compensation payers. The electricity market operator shall post the notice on his web pages.*

## **PAYMENT SECURITY INSTRUMENTS FOR BALANCING COSTS' COMPENSATION**

### **Type and amount of payment security instrument**

#### **Article 38**

*(1) EKO balance group member is obliged to deliver a non-transferable, irrevocable, unconditional bank guarantee to the electricity market member for the purpose of balancing costs' compensation payment security. The bank guarantee payable on first demand is to be issued by the business bank acceptable to the electricity market operator and in favour of the electricity market operator.*

*(2) EKO balance group member is entitled to pay the deposit to the electricity market operator's transaction account instead of the bank guarantee.*

*(3) The bank guarantee from Paragraph 1 of this Article is enforceable at least 12 months from the date of issue (hereinafter: payment security instruments validation term).*

*(4) The deposit from Paragraph 2 of this Article is valid throughout the entire period the privileged producer acts as an ECO balance group member or until the deposit is substituted for a bank guarantee without automatic extension.*

*(5) The amount for the first payment security instrument which the EKO balance group member submits to the electricity market operator in accordance with Paragraphs 1 and 2 of this Article equals the amount of the estimated balancing cost compensation for the term of two months for that ECO balance group member.*

*(6) The electricity market operator determines the amount of the evaluated balancing costs' compensation for the term of two months for the EKO balance group member.*

*(7) The amount for every following payment security instrument which the EKO balance group member submits to the electricity market operator after the first payment security instrument in accordance with Paragraph 4 of this Article equals the amount of balancing costs' compensation for the term of two months for that EKO balance group member.*

*(8) The payment security amount is determined according to the total sum of EKO balance group members' 2-month obligation in the name of EKO balance group management compensation payment. The initial payment security amount for EKO balance group membership is determined through an evaluation of EKO balance group members' 2-month obligation based on the evaluated annual balancing costs' obligation for the future EKO balance group members. The initial 2-month obligation amount for EKO balance group members is calculated as a product of evaluated average monthly obligation in the name of EKO balance group management and the number of months.*

*(9) The electricity market operator is obliged to dispose of the total amount of the payment security instrument determined by Paragraphs 4 and 6 of this Article during the entire payment security instrument validity term.*

*(10) The electricity market operator shall inform every EKO balance group member by e-mail and/or in writing about the amount to which a bank guarantee or the deposit in accordance with Paragraphs 1 and 2 of this Article have to be issued.*

### **Balancing costs' compensation payment**

#### **Article 39**

*If the EKO balance group member does not duly pay the balancing costs' compensation, the electricity market operator has the right to set off the claims (based on the provisions of the Obligatory Relations Act) that the electricity market operator has against the EKO balance group member based on the balancing costs' compensation including the claims the EKO balance group member has the against electricity market operator on any basis including the electricity purchase basis.*

### **Submission term for the payment security instrument**

#### **Article 40**

*(1) The EKO balance group member is obliged to submit the first payment security instrument complying with the conditions prescribed by Article 38 of this Regulation to the electricity market operator no later than 15 days from the date this Regulation becomes enforceable.*

*(2) If the bank guarantee is submitted in accordance with Article 38, Paragraph 1 of this Regulation, the EKO balance group member is obliged to submit every following bank guarantee complying with the conditions prescribed by Article 38 of this Regulation no later than 14 days before the expiry date of the enforceable bank guarantee.*

*(3) If the payment security instrument is submitted as a deposit in accordance with Article 38, Paragraph 2 of this Regulation, the electricity market operator has the right to keep the paid deposit amount for the following payment security instrument validation term upon the expiry of the payment security instrument term for which the deposit was paid.*

*(4) If the EKO balance group member wishes to substitute the submitted payment security instrument for another payment security instrument which he is obliged to submit to the electricity market operator in accordance with Article 38, Paragraphs 1 and 2 of this Regulation, the EKO balance group member shall inform the electricity market operator by e-mail and/or in writing about his intention to substitute the payment security instrument and simultaneously submit the substituting payment security instrument no later than 14 days before the current payment security instrument ceases to be enforceable, in accordance with Article 38, Paragraph 1 or Article 38 Paragraph 2 of this Regulation.*

*(5) In relation to Paragraph 4 of this Article, the electricity market operator shall check if the submitted payment security instrument complies with Article 38, Paragraph 1 or Article 38, Paragraph 2 of this Regulation and inform the EKO balance group member about the acceptability of the suggested substituting payment security instrument within 14 days.*

*(6) If a part or the total amount of the payment security instrument are to be activated, the EKO balance group member is obliged to submit the new payment security instrument to the electricity market operator within 8 days from the date the payment security instrument was activated. This is ought to be done so the electricity market operator is able to dispose of the total amount of the payment security instrument as determined by Article 38, Paragraphs 5 and 8 of this Regulation throughout the entire payment security instrument validation term.*

*(7) If during the payment security instrument validation term the balancing costs' compensation amount increases due to the balancing costs' compensation adjustment in accordance with Article 37 of this Regulation, the EKO balance group member is obliged to submit the new or additional payment security instruments to the electricity market operator within 8 days from the date of reception of the written electricity market operator's request. This is ought to be done so the electricity market operator is able to dispose of the total amount of the payment security instrument as determined by Article 38, Paragraphs 5 and 8 of this Regulation throughout the entire payment security instrument validation term.*

*(8) If the EKO balance group member does not duly submit the new bank guarantee in its entirety in accordance with this Regulation, the electricity market operator has the right to charge the EKO balance group member without prior notice for the total amount of the previously submitted bank guarantee before its expiry date and dispose of the charged amount to a separate account and use it for the same purposes the ECO balance group member's bank guarantee was issued for in accordance with this Regulation.*

**Notice submission**  
**Article 41**

*Unless otherwise provided by the electricity purchase agreement based on the purchase price, market premium agreement or this Regulation, all the notices and information between the electricity market operator and EKO balance group member shall be submitted via e-mail primarily. Otherwise, these notices and other information shall be sent via certified mail, return receipt requested, courier service, hand-delivered or via telefax.*

**SECTION V**

**TRANSITIONAL AND FINAL PROVISIONS**

**Coordination of measurement equipment and fuel consumption records**

**Article 42**

*The privileged producers who have received the Decision on acquiring the status of privileged producer based on the Ordinance on acquiring the status of privileged producer ("Official Gazette", no. 67/07, 35/11), the Ordinance on acquiring the status of privileged producer ("Official Gazette", no. 88/12) or the Ordinance on acquiring the status of privileged producer ("Official Gazette", no. 132/12, 81/14, 93/14, 24/15, 99/15 and 110/15) are obliged to provide the measurement equipment and fuel consumption records system for the plants which use fossil or renewable fuels and waste in accordance with the Regulation on Promoting Electricity Production Using Renewable Energy Sources and Highly Efficient Cogeneration no later than 12 months from the date this Regulation becomes enforceable.*

**Incentive price adjustment**

**Article 43**

*(1) The project holder who has had a valid electricity purchase contract with the electricity market operator from the day this Regulation became enforceable applying the Tariff System for the Production of Electricity from Renewable Energy Sources and Cogeneration ("Official Gazette", no. 63/12, 121/12, 144/12) or the Tariff System for the Production of Electricity from Renewable Energy Sources and Cogeneration ("Official Gazette", no. 133/13, 151/13, 20/14, 107/14, 100/15), but has not acquired the status of privileged producer is obliged to meet the efficiency conditions in conformity with the Regulation on Promoting Electricity Production Using Renewable Energy Sources and Highly Efficient Cogeneration.*

*(2) The Agency determines the fulfilment of the efficiency conditions from Paragraph 1 of this Article in accordance with the Regulation on Promoting Electricity Production Using Renewable Energy Sources and Highly Efficient Cogeneration. The Agency then informs the electricity market operator regarding the above-mentioned matter, and the electricity market operator adjusts the incentive prices by applying the Tariff System for the Production of Electricity from Renewable Energy Sources and Cogeneration based on which the electricity purchase contract with incentivised price was concluded.*

**Article 44**

*(1) The project holder who has had a valid electricity purchase contract with the electricity market operator from the date this Regulation became enforceable by applying the Tariff System for the Production of Electricity from Renewable Energy Sources and Cogeneration*

*("Official Gazette", no. 33/07), the Tariff System for the Production of Electricity from Renewable Energy Sources and Cogeneration ("Official Gazette", no. 63/12, 121/12, 144/12) or the Tariff System for the Production of Electricity from Renewable Energy Sources and Cogeneration ("Official Gazette", no. 133/13, 151/13, 20/14, 107/14, 100/15) and who has also acquired the status of privileged producer based on the Ordinance on acquiring the status of privileged producer ("Official Gazette", no. 67/07, 35/11), the Ordinance on acquiring the status of privileged producer ("Official Gazette", no. 88/12), or the Ordinance on acquiring the status of privileged producer ("Official Gazette", no. 132/13, 81/14, 93/14, 24/15, 99/15 and 110/15) is obliged to meet the efficiency conditions in accordance with the Tariff System based on which he concluded the electricity purchase contract.*

*(2) The Agency determines the fulfilment of the efficiency conditions from Paragraph 1 of this Article and informs the electricity market operator who adjusts the incentive price by applying the Tariff System for the Production of Electricity from Renewable Energy Sources and Cogeneration based on which the electricity purchase contract was concluded.*

### **First public invitation for public offer collection for tender for incentives**

#### **Article 45**

*(1) The electricity market operator is obliged to announce the first public invitation in 2019 for the public offer collection for the tender for market premium assignment and for the tender for incentives by guaranteed purchase price for the production plant groups according to the classification from Article 4 of this Regulation for which available quotas for 2019 have been published. The first public invitation for the above-mentioned tenders has to be released within 6 months from the date this Regulation became enforceable.*

*(2) The electricity market operator is obliged to determine and publicly announce on his web pages the maximum reference value and maximum guaranteed purchase prices for the production plant groups according to the classification from Article 4 of this Regulation for which available quotas for 2019 have been published. He is obliged to announce them within 6 months from the date this Regulation became enforceable*

#### **Expiry date**

#### **Article 46**

*Articles 4, 5, 6, 7 and 8 of the Ordinance on the Use of Renewable Energy Sources and Cogeneration ("Official Gazette", no. 88/12) cease to be valid on the enforcement date of this Regulation.*

### **Ongoing procedures**

#### **Article 47**

*The classification of the renewable energy sources plants and cogeneration plants from the Ordinance on the Use of Renewable Energy Sources and Cogeneration are applied for the procedures which were initiated based on the Ordinance on the Use of Renewable Energy Sources and Cogeneration ("Official Gazette", no. 88/12) and not finished by the date this Regulation became enforceable.*

#### **Article 48**

*The classification of plants using renewable energy sources and cogeneration plants from this Regulation is applied to the procedures which were initiated based on the Ordinance on the Use of Renewable Energy Sources and Cogeneration ("Official Gazette", no. 88/12) after this Regulation was enforced. The above-mentioned classification is applied to the procedures*



*related to the issuance of energy approvals, the procedures relating to the changes of the project holder and the procedures of the registry into the OIEKPP Registry.*

**Enforcement**

**Article 49**

*This Regulation shall be published in the "Official Gazette" with the enforcement date of 1st January 2019.*

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President  
Andrej Plenković MSc  
*(authentic signature)*