

LAW

Nr. 7/2017

ON PROMOTION OF USAGE OF RENEWABLE ENERGY SOURCES¹

Pursuant to Articles 78 and 83, paragraph 1 of the Constitution, upon the proposal of the Council of Ministers,

ASSEMBLY

OF THE REPUBLIC OF ALBANIA

DECIDED:

CHAPTER I

GENERAL PROVISIONS

Article 1

Purpose

The purpose of this law is:

- a) to promote the increase of energy production from renewable sources in order to ensure a sustainable development in the Republic of Albania in accordance with the obligations under the Energy Community Treaty;
- b) to reduce the import of organic fuels, the emission of greenhouse gases and to protect the environment, in accordance with the obligations of the Republic of Albania, in the framework of international agreements and treaties;
- c) to promote the development of the electricity market from renewable sources and its regional integration;
- ç) to increase the diversification of the use of energy sources and the security of energy supply in the Republic of Albania;

¹ This law is partially aligned with Directive 2009/28 / EC of the European Parliament and of the Council of 23 April 2009 "On the promotion of the use of energy from renewable sources and amending and repealing Directives 2001/77 / EC and 2003 / 30 / EC ", as amended," Number CELEX: 32009L0028, Official Journal of the European Union, Series L, No. 140, dated 5.6.2009, pp. 16-62.

d) to promote rural development and isolated areas, improving the energy supply of these areas.

Article 2

Scope of action

This law provides:

- a) the legal framework for promoting energy production from renewable energy sources;
- b) mandatory national targets for the contribution of renewable resources to final gross energy consumption;
- c) rules for supporting the production of energy from renewable sources;
- ç) the obligation for transparency of information;
- d) rules for the access and operation of networks for renewable energy sources and their connection to the electricity network in the territory of the Republic of Albania;
- dh) the rules for the granting, transfer and cancellation of guarantees of origin for energy produced from renewable sources;
- e) Monitoring the application and reporting of the law requirements.

Article 3

Definitions

1. In this law, the following terms have these meanings:

- a) "aerothermal energy" means the energy deposited in the form of heat in ambient air.
- b) "Geothermal energy" is the energy deposited in the form of heat under the surface of the earth.
- c) "Hydrothermal energy" means the energy deposited in the form of heat in surface waters.
- ç) "Biomass" is the biodegradable part of products, waste and residues of origin

(Including plant and animal), forests and related industries, including fisheries and aquaculture, as well as the biodegradable part of industrial, urban and rural waste.

d) "Biofuels" are liquid or gaseous fuels, mixed with hydrocarbon fuels and produced by biomass, as defined in Law no. 9876, dated 14.2.2008, "On the production, transport and marketing of biofuels and other renewable fuels for transport.

dh) "Energy from renewable sources" means energy from non-fossil renewable sources, namely wind, sun, aerothermal energy, geothermal energy, hydrothermal energy and ocean energy, hydropower, biomass, gas accumulated in landfills, gas accumulating From sewage treatment and biogas.

e) "Final Gross Energy Consumption" means the entire amount of energy delivered to the territory of the Republic of Albania for industrial, transport, family, and miscellaneous services, including public and private services, agriculture, forestry and fisheries , Electricity and heat consumption also for self-consumption in all sectors of energy, as well as losses of electricity and heat in the transmission and distribution system.

ë) "Guarantee of origin" is an electronic document which has the sole function to prove to the final consumer that part or all of the given quantity of energy used is produced from renewable sources.

f) "Competitive Bidding Process" is an objective, transparent, non-discriminatory procedure that enables the participation of a number of companies to benefit from the support scheme, based on the initial bid submitted by the Bidder.

g) "Support scheme" means the instrument or mechanism implemented to promote the use of energy from renewable sources by reducing the cost of that energy, by increasing the price at which it can be sold or by increasing the volume of purchased energy through Obligations for renewable energy or other means.

gj) "Contracts for Difference" is the contract, the model of which is approved by the Council of Ministers, between the Renewable Energy Operator and the energy producer from the renewable energy sources, which is declared successful bidder in the competitive process to benefit from the scheme of support, as defined in Article 9 of this law.

h) "Fixed price" is the final price that will benefit the electricity producer as a result of the winning bid of a support scheme in a competitive procedure.

i) "Reference Price" means the forward rate market price, which is based on the organized electricity market or until its establishment in a comparable electricity market.

j) "Priority producer" means any manufacturer that generates electricity from renewable energy sources and in the case of hydro power with an installed capacity of up to 15 MW for a generating unit and benefiting from support schemes in accordance with the forecast Of this law.

(k) "Renewable Energy Operator" is the responsible entity, which issues and collects the obligation for renewable energy applied to all end customers of electricity.

l) "Net energy measurement scheme" means a system enabling two-way measurement of a total installed capacity for generation of electricity from wind or sun below 500 kW, from small and medium-sized companies or family customers, who Can not be dispatched. These customers produce some or all of the energy they need for their needs and inject the excess energy produced into the distribution network.

(ll) "Solar photovoltaic system" means a device or plant used to transform solar energy into electricity for self-consumption or to distribute it to electricity grids.

(m) "Generating unit" means any technical means which transforms the energy produced from renewable sources into electricity or heating.

(n) "Installed capacity of an installation" means the power of the power for which the manufacturing unit is technically capable of producing, when it is working as planned, without any time limitations, and regardless of short-term short-circuits.

o) "Existing producers with priority" are the most advantageous producers, from the hydro springs, to who, regardless of the moment of signing the contract with the contracting authority, are provided with the "Certificate of Acceptance of the Work", according to the relevant legislation, by December 31, 2020.

) "Renewable energy obligation" represents a fixed fee to be applied to end customers, in accordance with the respective amount of electricity metered and delivered by suppliers to these customers. This obligation is calculated as a product of the total amount of electricity produced from renewable energy sources with the bonus given for the promotion of renewable energy sources in relation to the total amount of electricity delivered from suppliers to final customers.

q) "Ministry" is the ministry responsible for energy.

r) "Minister" is the minister responsible for energy.

2. All terms used in this law, which are not included in paragraph 1 of this Article, shall have the same meaning with the terms defined in Law no. 43/2015 "On the Energy Sector" and Law no. 124/2015 "On Energy Efficiency".

CHAPTER II

NATIONAL OBJECTIVES FOR USAGE ENERGY RENEWABLE SOURCES AND MEASURES FOR THEIR REALIZATION

Article 4

National objectives

1. National targets for renewable energy produced from renewable sources in final gross energy consumption and guiding trajectory are set out in Annex no.1 attached to this Law.
2. The share of renewable energy from renewable sources is calculated as gross final energy production from renewable sources, in proportion to gross final energy consumption from all sources of energy, in accordance with the methodology approved by the Council of Ministers.
3. To achieve the objectives set out in appendix no. 1 of this Law, the Republic of Albania may cooperate with the Contracting Parties to the Energy Community. The Council of Ministers, upon the proposal of the Minister, approves the manner and the criteria of cooperation.

Article 5

National Action Plan for Renewable Energy Sources

1. The Ministry, in cooperation with the agency responsible for renewable energy sources, other responsible institutions, and in consultation with the Energy Community Secretariat, in accordance with the provisions of Article 4 of this Law, develops a National Action Plan for Renewable Resources Energy, which is reviewed every two years.
2. The National Renewable Energy Action Plan sets out measures for achieving national targets for electricity produced from renewable, heat and cooling fuels for transport as part of the final gross consumption by 2020, as determined In appendix no. 1 of this law.
3. The National Action Plan for Renewable Energy Resources is approved by the Council of Ministers, upon the proposal of the Minister. The approved National Energy Action Plan for Renewed Energy Resources is notified to the Energy Community Secretariat.
4. The implementation of the National Renewable Energy Action Plan shall be monitored by the agency responsible for renewable energy sources, which shall submit to the Ministry the annual monitoring report by 30 June of each year.
5. Every two years, by 30 September, the Ministry shall submit to the Council of Ministers a report on the implementation of the National Action Plan for Renewable Energy Resources and meeting national targets for renewable energy from renewable sources. This report is published on the ministry's official website.
6. If the ratio provided for in paragraph 5 of this Article indicates that the share of renewable energy from energy sources is less than one percentage point than the value of the guiding trajectory for the next two years, as defined in appendix no. 1 of this Law, the Ministry

proposes to the Council of Ministers the amendment of the National Action Plan for Renewable Energy Sources, defining the appropriate and appropriate measures

To reach the guiding trajectory, mentioned in appendix no. 1 of this law.

Article 6

Information, certification and statistics

1. The Ministry shall ensure that information on benefits, costs of development and use of energy from renewable sources as well as supportive measures is available to all interested parties.

2. The Council of Ministers, upon the proposal of the minister and the Minister responsible for urban development, approves the types of certificates and the necessary certification criteria for boiler installations and small biomass cookers, solar photovoltaic, thermal, thermodynamic systems, shallow geothermal systems And heat pumps. Certification given by any of the Member States of the European Union or contracting parties to the Energy Community is considered as based on these criteria.

3. All entities that produce energy from renewable sources have the obligation to submit data on annual energy production, data on payment of financial obligations, as well as other data determined by the Minister's instruction, to the agency responsible for resources Renewable energy, no later than 31 March of each year.

Article 7

Duties of the agency responsible for renewable energy sources

1. The Agency responsible for renewable energy sources as an institution under the Minister shall perform the following tasks:

- a) the creation, registration and updating of the Register of Energy Priority Producers;
- b) recording the energy balance of all energy-intensive producers;
- c) drafting and submission to the ministry of the project of the National Action Plan for Renewable Energy Resources within the deadlines set by this ministry;
- ç) monitoring the implementation of the National Action Plan for Renewable Energy Sources, approved by the Council of Ministers;
- d) drafting and submission to the ministries and ERE, within 1 June of each year, of the assessment of the share of energy produced from renewables, compared to the final gross final energy consumption for the pre-coming year;

dh) the preparation of the information provided in point 1 of article 6 of this law.

2. The Council of Ministers, upon the proposal of the Minister, appoints or establishes an institution which shall carry out the tasks of the agency responsible for renewable energy sources.

CHAPTER III

PRODUCTION OF ELECTRICITY FROM RENEWABLE SOURCES

Article 8

Support measures for the production of electricity from renewable sources

1. In order to achieve the national renewable energy target, the Council of Ministers, upon the proposal of the Minister, shall adopt measures to promote the use of electricity from renewable sources.

2. Support under the contract for margin for priority electricity producers shall, except as provided for in this law, be awarded through a competitive process. The support is given in the form of a reward for the attainment of a certain price, as an addition to the reference price.

3. The Ministry, in consultation with the agency responsible for renewable energy sources, the Energy Regulatory Entity and the Energy Community Secretariat, shall prepare any proposal on the support measures. Conditions and procedures for granting support measures, including assistance from the State Budget, are approved by the Council of Ministers on the proposal of the Minister. These measures, in any case, are provided in accordance with the applicable state aid legislation.

4. Electricity priority producers are responsible for balancing. Manufacturers become parties responsible for balancing, signing a contract with the Transmission System Operator or by signing a contract for the transfer of balancing responsibility to another counterparty responsible for balancing, becoming a member of a balancing group, in accordance with the rules of Market and related procedures approved by the ERE, in consultation with the Energy Community Secretariat.

Article 9

Contract for Difference

1. The support under the contract for difference is based on a variable remuneration, calculated as the difference between the price at which the renewable energy producer is declared winner in the competitive process of granting the (fixed price) and market price Electricity (reference price).

2. Beneficiaries of the support scheme, according to a contract for difference and the maximum level for such support, shall be assigned to a competitive process open to all electricity producers from renewable sources, on the basis of clear criteria, transparent and non-discriminatory, unless:

a) Only one or a very small number of projects are suitable for a competitive process;

b) a competitive process can bring a significantly higher level of support; or

c) a competitive process would result in significantly lower prices.

3. The competitive process may be restricted to a specific technology only where an open process against all producers would lead to an inadequate result which cannot be addressed in the design process, having regard in particular to:

a) the long-term potential of a new and innovative technology;

b) the need to diversify resources;

c) network and network sustainability restrictions;

ç) network connection costs;

d) the need to avoid deformations in the raw materials market by supporting biomass.

4. The model for the contract of difference, conditions and procedures as well as the cases provided for in points 2 and 3 of this Article shall be proposed by the Minister and approved by a decision of the Council of Ministers.

5. The Renewable Energy Operator shall draw up a support application form, according to the contract for difference. The application form contains, inter alia, the name of the applicant and the type of company, a description of the project, including its location, the start and end dates of the project, the amount of support necessary to complete it and the related costs. In the application form, the beneficiaries should describe the inability of the project to develop without the support of the contract for difference.

6. Support for renewable energy producers shall be provided in each case up to the full siting of the plant in accordance with the accounting rules and any form of support previously received shall be deducted from the support, according to the contract for difference.

7. Renewable energy producers are obliged to pay the difference between the reference price and the designated price to the Renewable Energy Operator in cases where the reference price exceeds the specified price. If the hourly market price, based on the day-ahead market, will be below zero for less than six consecutive hours, the support is considered covered at the specified price. If the market price based on the day-to-day auction remains negative over a

period of six hours or more, then the difference amount, according to the contract for difference, will be zero for that period.

8. The contract for difference shall have a maximum duration of 15 years.

Article 10

Support measures for the production of electricity from small renewable sources

1. The contract for difference - based support does not apply to priority producers:

- a) with installed capacity of electricity up to 2 MW;
- b) with installed capacity of electricity up to 3 MW for wind energy;
- c) for demonstration projects.

2. The purchase price of electricity from hydro sources with an installed capacity of up to 2 MW shall be determined by the ERE, in accordance with the methodology approved by the Council of Ministers, upon the proposal of the Minister. The methodology determines the pricing criteria based on the price of the organized electricity market or until its creation at comparable prices of the organized markets of the neighbouring countries plus a certain bonus for the promotion of these resources, which takes into account a reasonable return on investment value. In any case, this price will not be lower than the price approved by the ERE in 2016.

3. The purchase price of electricity from any other priority producer specified in paragraph 1 of this Article shall be determined by the ERE in accordance with the methodology approved by the Council of Ministers upon the proposal of the Minister. The methodology determines the pricing criteria, based on reasonable return on investment value, according to the type of technology used.

4. In drafting the methodology for determining the selling price under paragraphs 2 and 3 of this article, the ministry receives the opinion from the State Aid Commission.

Article 11

Renewable Energy Operator

1. The Renewable Energy Operator is responsible for billing and collection from each electricity supplier of renewable energy obligation for all categories of priority producers applied to all end customers, in accordance with the respective amount of electricity Measured and delivered electricity to these customers. The Council of Ministers determines the operator that will perform the functions of the Renewable Energy Operator, in accordance with the competences defined in this law and the power sector law.

2. The Renewable Energy Operator is responsible for signing and administering contracts for difference with energy priority producers. This includes managing contracts throughout their duration, as well as anticipating payments, under support schemes for priority producers, in accordance with the obligation for renewable energy. The Renewable Energy Operator is also responsible for repaying amounts payable to priority producers.

3. The ERE shall approve the obligation for renewable energy to be paid by end-customers of electricity on an annual basis and the methodology for determining this obligation as well as the difference compensation procedure for the producers.

4. The Renewable Energy Operator shall keep detailed data for all supporting measures. These data must be kept throughout the duration of the contract for difference and for an additional period of ten years, by including all the information necessary to prove that the terms of the contract for difference have been met.

5. The Renewable Energy Operator publishes annually the details of the calculations and rewards according to the contracts for difference. The Renewable Energy Operator carries out an assessment of the first phase of the competitive process, including the percentage of realized renewable energy projects declared in the competitive process after obtaining the certificate of acceptance of the work.

Article 12

Access to the network

1. Transmission and distribution of electricity from renewable sources are guaranteed on a transparent, non-discriminatory basis and based on tariffs approved and published by the ERE. Producers that produce energy from renewable sources have priority over access to the power grids.

2. Transmission Operator and Distribution Operator shall ensure access to their network, in accordance with Law no. 43/2015 "On the Electricity Sector.

3. The criteria set out in paragraph 1 of this Article shall be included in the agreement for operation between the Transmission System Operator or the Distribution System Operator and the Renewable Energy Producer.

4. The ERE shall approve the necessary measures for the operation of the network in order to minimize the disruption of electricity produced from renewable energy sources.

Article 13

Connecting to the network

1. Transmission and distribution system operators shall take appropriate steps to develop the transmission and distribution network infrastructure, intelligent networks, storage facilities and the electricity system, in order to allow safe operation of the energy system Electricity, to include further development of electricity generation from renewable energy sources, including interconnection with neighbouring countries, in accordance with the National Renewable Energy Action Plan.

2. At the proposal of the transmission and distribution system operators, the ERE shall approve the procedures and facilitating rules for the connection of the generation plants in the network, in accordance with the criteria set forth in Law no. 43/2015, "On Power Sector", in cooperation with central and local authorities, involved in procedures for authorizing, planning and issuing permits at national and local level.

3. Transmission and distribution system operators, based on the request of the energy producer from renewable sources and in accordance with the codes and regulations adopted by the ERE, propose as a point of connection with their network the point that meets the most favourable conditions For the renewable energy producer from the point of view of cost and distance from the network. In selecting the best and most appropriate connection point, transmission and distribution system operators should consider the technical constraints and economic efficiency of the selected network connection point. Transmission and distribution system operators shall provide each new electricity producer from renewable sources who wishes to connect to the network the necessary and comprehensible information, including:

- a) a detailed and understandable estimate of the cost of the connection point;
- b) a reasonable and reasonable duration for obtaining and reviewing the request for network connection;
- c) a timetable for the approval of any proposed link in the network.

Article 14

Costs for network connectivity and capacity expansion

1. The necessary cost of connecting power generation plants from renewable energy sources at the connection point and the necessary measuring equipment to record the supplied and delivered electricity is borne by the renewable energy producer.

2. If the network operator, after approving the connection to the network, according to point 3 of Article 13 of this law, assigns another connection point, it shall cover the additional costs incurred by the manufacturer.

3. The network operator must withstand the costs of optimizing, enhancing, and expanding the network system.

Article 15

Net electricity metering schemes

1. In accordance with the metering scheme, a small or medium-sized company or a family client may install a total capacity of up to 500 kW for the production of electricity from wind or sun to cover part or all of the electricity own needs and inject excess energy produced into the distribution network.
2. Customers, according to the net electricity metering scheme, should install at their own cost a bi-direction meter.
3. Net balance and billing are made on a monthly basis for each metering point. The excess of electricity consumed in excess of the monthly consumption is sold to the universal service provider charged with the public service obligation at the price determined by the ERE, based on the methodology approved by the Council of Ministers, upon the proposal of the minister.
4. The Minister approves with an instruction a simplified procedure for authorization for connection to the distribution system of small renewable energy projects.

CHAPTER IV

GUARANTEE OF ORIGIN OF ELECTRICITY PRODUCED BY RENEWABLE ENERGY SOURCES

Article 16

Guarantee of origin

1. At the request of a renewable energy producer, the ERE shall issue a guarantee of origin for each power unit generated by the plant after obtaining the right to construct a renewable energy plant.
2. The guarantee of origin shall be issued in the standard format and for one electricity unit 1 MWh shall specify:
 - A) the source of energy from which the electricity is produced;
 - B) the date of commencement and termination of production;
 - C) name, location, type and capacity of the plant where the energy is produced;
 - Ç) if the producer has benefited from investment support or other support schemes at national level and the extent of this benefit;

D) the date of the plant authorization and the time when it was put into operation;

Dh) the date, the place of issue of the guarantee and a unique identification number.

3. The origin guarantee may be transferred, separately or together with the physical transfer of energy, and shall have no effect on the decision to use the co-operation mechanism to achieve the objective or to calculate final gross final consumption of energy from renewable sources , In accordance with Article 4 of this Law.

4. The ERE shall maintain an electronic guarantee register of origin with an appropriate data processing mechanism to ensure that guarantees of origin are issued, transferred and cancelled electronically and are accurate, reliable and unmanipulable. Each interested party has the right to have freely access to this register.

5. The ERE monitors the issuance, transfer and cancellation of the guarantees of origin and ensures that the same unit of electricity from renewable sources is taken into consideration only once.

6. The origin guarantee shall be issued on the basis of comprehensible information and appropriate information to certify the origin of electricity supplied by the manufacturer and the metered data certified by the Transmission System Operator and the Distribution System Operator. The guarantee of origin is issued only if the producer provides all the required information, according to point 2 of this article.

7. Manufacturers shall not be granted support when the producer receives an origin certificate for the same production of energy from renewable sources.

8. The use of the guarantee of origin is valid within 12 months of the production of the corresponding electrical power unit. The guarantee of origin should be canceled after its use.

9. The electricity supplier is obliged to prove the share or amount of energy from renewable sources to the total mixed energy in order to provide consumers with information on energy consumption by

Renewable sources also using the guarantee of origin.

10. The amount of energy from renewable sources corresponding to the origin guarantee transferred from an electricity supplier to a third party shall be deducted from the share of energy from renewable sources to the total mixed energy as defined in Point 7 of this article.

11. If electricity is produced from a hydro power plant with a previously pumped water supply system upstream, the origin guarantee is issued only for that amount of electricity corresponding to the difference between electricity produced by the power plant and electricity consumed by the pumped storage system.

12. If electricity is produced from urban or industrial waste, the guarantee of origin shall be issued only for the amount of energy corresponding to the biodegradable fraction as defined in letter "ç" of point 1 of Article 3 of this law.

13. The ERE shall adopt a special regulation for the establishment of an accurate, reliable and protected system of abuses for the issuance, transfer and revocation of guarantees of origin. This regulation, inter alia, specifies in particular:

a) the documentation to be submitted by the manufacturer for the technical qualities of its plant as a power generation unit from renewable energy sources;

b) the technical qualification procedure and in particular the time limit in which the ERE is responsible for the submitted applications and the legal consequences deriving from the failure to implement this obligation;

c) the application procedure for the issuance, registration, transfer and cancellation of the guarantee of origin;

ç) the procedure for monitoring and verifying the accuracy and reliability of the obligations fulfilled by the manufacturer;

d) matters relating to the cooperation with the competent authorities of the EU Member States and other countries with which there are signed agreements for the mutual recognition of the guarantees of origin.

Article 17

Monitoring procedure

1. To ensure the fulfilment of the conditions for issuing the guarantee of origin and that the particulars on which it is issued are accurate, the representatives of the ERE and any person authorized by it, without prejudice to the respect of the secrecy Trader, have free access to the relevant production plant and all data and information on the given plant. The manufacturer is obliged to facilitate the work of the representatives of the ERE and its authorized persons.

2. The ERE may refuse to recognize a guarantee of origin only when there are suspicions based on its accuracy, reliability or authenticity. ERE shall notify the Energy Community Secretariat of any refusal together with the reasons for such refusal. The opinion of the Energy Community Secretariat is taken into account by the ERE in recognizing the guarantees of origin.

Article 18

International Cooperation on Guarantees of Origin

1. A guarantee of origin for electricity generated from renewable energy sources issued by an EU Member State or a country which is a contracting party to the Energy Community Treaty shall also be recognized by Republic of Albania.

2. The ERE works closely with all issuing authorities of origin in the EU Member States and any country which is a contracting party to the Energy Community Treaty in order to make available to final consumers information for the part of the energy produced from renewable energy sources, as part of the total energy supplied.

CHAPTER V

RENEWABLE ENERGY SOURCES IN TRANSPORT AND FOR PRODUCTION OF HOT WATER

Article 19

Use of renewable energy sources in transport

Fulfilment of national energy obligations from renewable sources for energy use purposes from sources of

Renewable in all types of transport, according to the national targets for the use of renewable energy sources in accordance with Article 4 of this Law, is achieved through the legislation on the production, transport and marketing of biofuels and other renewable fuels for transport.

Article 20

Minimal objectives for the use of solar energy for the production of hot water

1. The Council of Ministers defines the minimum indicators for the production of hot urban water for sanitary use and technological processes, obtained from solar panel systems.

2. Minimal indicators for the use of solar energy, as defined in point 1 of this article, shall be set taking into account the amount of solar radiation in the different areas of the country.

3. The Council of Ministers approves the specific criteria for the calculation of solar energy used to obtain hot water, whether specially or as part of the housing energy code, taking into account the latest EU standards, Approved for this purpose.

CHAPTER VI

FINAL PROVISIONS

Article 21

By-laws

1. The Council of Ministers is hereby charged that within 12 months from the entry into force of this law, adopt sub-legal acts pursuant to articles 4, points 2 and 3; 5, item 3; 6, point 2; 7, item 2; 8, points 1 and 3; 9, item 4; 10, points 2 and 3; 15 item 3; 20, points 1 and 3; And 22, items 2 and 4, of this law.
2. The Minister responsible for energy is charged that, within 12 months from the entry into force of this law, to adopt sub-legal acts pursuant to Article 6, paragraph 3, Article 15, paragraph 4, and Article 22, paragraph 1 of this law.
3. The Energy Regulatory Entity shall be entrusted, within 12 months from the entry into force of this law, to adopt sub-legal acts pursuant to Article 8, paragraph 4, Article 11, paragraph 3, Article 12, paragraph 4, Article 13, paragraph 2, and Article 16, paragraph 13, of this law.

Article 22

Treatment of existing priority producers

1. Priority producers, who have received the certificate of acceptance of the work of the power plant by 31 December 2020, have the right to choose to benefit from the support scheme, according to the contract of difference, in accordance with the provisions of this law and procedures approved by the ERE. The certificate of acceptance of the work is issued by the contracting authority, as instructed by the minister.
2. The purchase price of electricity by priority producers who have received the certificate of acceptance of the work of the power plant by 31 December 2020 and who have not become part of the support scheme according to the contract for margin is calculated by ERE , In accordance with the methodology approved by the Council of Ministers, upon the proposal of the Minister. This methodology is drafted in consultation with the Energy Community Secretariat.
3. The methodology provided for in paragraph 2 of this Article shall determine the pricing criteria based on the price of the organized electricity market or until its creation at comparable prices of the organized markets of the neighbouring countries plus A certain bonus for the promotion of these resources, which takes into account a reasonable return on investment value. In any case, this price will not be lower than the price approved by the ERE in 2016.

4. The obligation to purchase electricity produced by priority electricity producers who do not benefit from the support scheme under the contract for difference is considered to be a public service obligation and

A licensee is charged by the ERE, in accordance with the terms and procedures approved by the Council of Ministers.

5. Until the balancing market is established, but no later than 31 December 2022, the existing priority producers shall not be liable for the costs of the imbalances incurred. These costs will be taken into account by the ERE in the electricity distribution tariff. Existing priority producers will notify the production schedule to the Distribution System Operator, in accordance with the electricity market rules.

Article 23

Repeals

Law no. 138/2013 "On Renewable Energy Sources", as amended, is repealed.

Article 24

Entry into force

This law comes into force 15 days after its publication in the Official Gazette.

Approved on 2.2.2017

Promulgated by Decree no. 10006, dated 15.2.2017, of the President of the Republic of Albania, Bujar Nishani

APPENDIX No. 1

1. Albania's overall target for energy from renewable energy sources in final energy consumption is 38 percent in 2020.

2. The guiding trajectory described in Article 4 of this Law shall contain the following indicators of the share of energy from renewable sources:

Part of the energy

Renewable

Of Albania in

2009 Average for 2011-2012 Average for 2013-2014 Average for 2015-2016 Average for
2017-2018 Target for

Energy of

Renewable

Albania in Albania

2020

31.2% 32.6% 33.2% 34.3% 35.6% 38%