

The new draft bill on Renewable Energy Sources

In the beginning of December, a number of amendments to the existing legal framework on Renewable Energy Sources (RES) were presented by the recently established Greek Ministry of Environment, Energy and Climate Change. The draft bill, as published for public consultation, introduces, among others, the following main changes:

Targets

The draft bill sets a target of 20% share of RES on the final energy consumption by 2020, exceeding, thus, the respective target of 18% laid down for Greece in the “Directive 2009/28/EC on the promotion of the use of energy from RES”.

Licensing

The existing framework establishing the licensing procedure for RES projects shall be revised and radically simplified: Several new amendments (ex. a stipulation introducing the possibility of simultaneously and in parallel applying for more than one of the required permits, instead of the currently applicable step-by-step application procedure) shall provide for a reduction of the overall time needed for the completion of the licensing procedure. Competent authority for the issuance of production licenses shall henceforth be the Regulatory Authority for Energy, the competence of which was up to now restricted in delivering opinions to the so far competent Ministry of Development. Besides, a wide range of cases shall be fully exempted from the obligation to obtain a production license or any other form of exemption decision, including all photovoltaic projects regardless of capacity as well as wind energy projects with a capacity of up to 700 kW.

Environmental terms

Several amendments aim specifically to shorten and simplify the environmental licensing procedure: RES investors shall henceforth only need one instead of two environmental permits; the issuance of a preliminary environmental permit which was up to now necessary in order to obtain a production license shall no longer be required. Therefore, the issuance of a production license shall no longer depend on the fulfillment of environmental terms. Moreover, a great number of cases are fully exempted even from the remaining obligation to obtain an Approval of Environmental Terms, including all RES projects legally defined as of “no disturbance” as well as all photovoltaics and wind turbines installed on buildings and industrial facilities.

Tariffs

A new table of feed-in tariffs (FIT) is being introduced, foreseeing much higher FITs for all RES categories, except for photovoltaics which remain unchanged.

Installation in terms of spatial planning

The recently issued Special Framework for Spatial Planning for RES shall undergo considerable amendments in view of making the terms for installation of RES projects much more favourable for investors. Thus, a number of restrictions regarding the areas in which the installation of RES projects is allowed to take place shall be abolished, leading to a substantial limitation of the areas defined by law as “absolutely incompatible.”

Green buildings

The draft bill also introduces certain amendments to the recently issued Law 3661/2008 on the improvement of buildings’ energy performance. Stipulations included in this law laying down the obligation for new buildings with a total floor area over 1000m² to meet some minimum requirements regarding their energy performance are now being extended to all new buildings regardless of their floor area. Additionally, some new provisions are being introduced aiming to promote the use of RES for covering the energy needs of new buildings, setting specific targets which have to be fulfilled in this respect by the end of 2019 (and 2014 as regards public buildings).

One stop shop

Finally, a new agency shall be established at the new Ministry of Environment, Energy and Climate Change and shall operate as a “one stop shop”, providing all interested investors with necessary information and assistance with regard to all matters related to RES investment projects.

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