

THE CROATIAN PARLIAMENT

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Pursuant to Article 88 of the Constitution of the Republic of Croatia, I hereby pass the following

DECISION

PROMULGATING THE ACT ON AMENDMENTS TO THE ENERGY ACT

I hereby promulgate the Act on Amendments to the Energy Act, passed by the Croatian Parliament at its session on 15th December 2008.

Class.: 011-01/08-01/199

Reg. No: 71-05-03/1-08-2

Zagreb, 18th December 2008

The President of the Republic of Croatia

Stjepan Mesić, m.p.

ACT

ON AMENDMENTS TO THE ENERGY ACT

Article 1

In the Energy Act (Official Gazette no. 68/01; 177/04; 76/07) in Article 15, Paragraph 1, after item 4, a new item 5 is added to read:

“5. electricity trading,”

The former items 5 to 27 therefore become items 6 to 28.

Article 2

In Article 20, Paragraph 2, after the word: “(LNG),” the following words are added “organising natural gas markets,”.

Article 3

In Article 25, Paragraph 2 and 3 are amended to read:

“(2) Regulated energy prices for tariff customers consist of:

- part of the price according to tariff items for energy activities to which tariff system is applied to;
- an incentive fee for the production of energy from renewable sources and cogeneration;
- a fee for inherited costs if these costs were approved for a particular type of energy;
- other fees if prescribed by a separate law.

(3) Free energy price consist of:

- part of the price that is freely contracted;
- part of the price according to the tariff items for energy activities to which tariff system is applied to;
- an incentive fee for the production of energy from renewable sources and cogeneration;
- a fee for inherited costs if these costs were approved for a particular type of energy;
- other fees if prescribed by a separate law.”

Article 4

In Article 28, Paragraph 6 is amended to read:

“(6) The Government of the Republic of Croatia determines the fee for organising electricity markets and the fee for organising gas markets at the proposal of the Ministry. Energy undertakings responsible for electricity market organising as well as energy undertakings responsible for gas markets organising submit their proposal to the Ministry, which then acquires an opinion of the Agency.”

Article 5

After Article 35, the following Article 35 is added to read:

“Article 35a

(1) A fine of 20,000.00 to 100,000.00 HRK shall be charged for breaches made by natural or legal persons who perform energy activities without license for performing energy activities (Article 16, Paragraph 1);

(2) For breaches noted in Paragraph 1 of this Article, to a responsible official shall be imposed a fine upon from 5,000.00 to 20,000.00 HRK.

(3) In addition to the fine, the legal or natural person committing two or more breaches or recommitting a breach from Paragraph 1 of this Article within a year, shall be pronounced a safety measure of suspension from carrying out energy activities up to one year, and the responsible official shall be prohibited from performing these activities for a period of one year.”

Article 6

This Act shall enter into force on the eight day of its publication in the Official Gazette.

Classification: 310-02/08-01/03

Zagreb, 15th December 2008

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The President of the Croatian Parliament
Luka Bebić, m.p.