



Program Ujedinjenih nacija za razvoj
Ministarstvo energetike, razvoja i
zaštite životne sredine Republike Srbije



*Empowered lives.
Resilient nations.*

CONSTRUCTION OF PLANTS AND ELECTRICITY GENERATION IN SMALL HYDROPOWER PLANTS IN THE REPUBLIC OF SERBIA

Guide for Investors

IZGRADNJA POSTROJENJA I PROIZVODNJA ELEKTRIČNE ENERGIJE U MALIM HIDROELEKTRANAMA U REPUBLICI SRBIJI

Vodič za investitore

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Uz podršku: GTZ i USAID

English

Srpski



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GENERATION IN SMALL HYDROPOWER
PLANTS IN THE REPUBLIC OF SERBIA**
Guide for Investors

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Guide for Investors

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Foreword

Serbia's significant renewable energy potential is still not sufficiently exploited due to a number of reasons that cause a lack of investment activity in renewable energy sector. The Government of the Republic of Serbia has recently accepted the Decision of the Ministerial Council of Energy Community on the promotion of the use of renewable energy by means of transposition of the EU Directive 2009/28/EC on renewable energy. This decision sets an ambitious goal for Serbia to increase the share of renewable energy in gross final energy consumption to 27% by 2020, with respect to baseline of 21.2% in 2009, which will lead to intensive investment activities in the sector in the forthcoming period.

Based on the Agreement for the provision of support services with the Ministry of Energy, Development and Environmental Protection under the auspices of the "Policy Advice on Renewable Energy Sources" project, in 2012 UNDP Serbia focused on promoting investments in renewable energy sector by updating and revising four existing, yet outdated, guides for investors in renewable energy facilities and by elaborating two new guides:

- CONSTRUCTION OF PLANTS AND ELECTRICITY/HEAT GENERATION FROM BIOMASS IN THE REPUBLIC OF SERBIA
 - CONSTRUCTION OF PLANTS AND ELECTRICITY GENERATION IN SMALL HYDROPOWER PLANTS IN THE REPUBLIC OF SERBIA
 - CONSTRUCTION OF PLANTS AND ELECTRICITY GENERATION IN WIND POWER PLANTS IN THE REPUBLIC OF SERBIA
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- **CONSTRUCTION OF PLANTS AND ELECTRICITY/HEAT GENERATION FROM HYDRO-GEOTHERMAL SOURCES IN THE REPUBLIC OF SERBIA**
 - **CONSTRUCTION OF PLANTS AND ELECTRICITY GENERATION IN SOLAR POWER PLANTS IN THE REPUBLIC OF SERBIA**
 - **CONSTRUCTION OF THE SOLAR HEATING SYSTEMS IN THE REPUBLIC OF SERBIA**

All guides, with the exception of one, are bilingual and exist in two versions. Six elaborated guides describe in details very complex and comprehensive procedure for constructing energy facilities and performing economic activity of energy generation from renewable sources. The detailed guides are intended primarily for investors and project developers, but also for officials in different competent institutions since the legal procedure is typically cross-sectoral. In five less detailed guides the comprehensive matter is described in a simple and illustrative manner with an idea to bring it closer to the wide range of stakeholders.

The objective of the guides is to encourage and assist the investors interested in Serbian renewable energy sector, but also to identify through a thorough analysis weaknesses and inconsistencies of the legal procedure and to encourage competent institutions to perform legal and institutional improvements. We sincerely hope that the guides will trigger constructive dialogue between numerous stakeholders and thus contribute to their better awareness and mutual understanding, which should ultimately result in favourable environment for investments in renewable energy.

Small Hydropower Plants

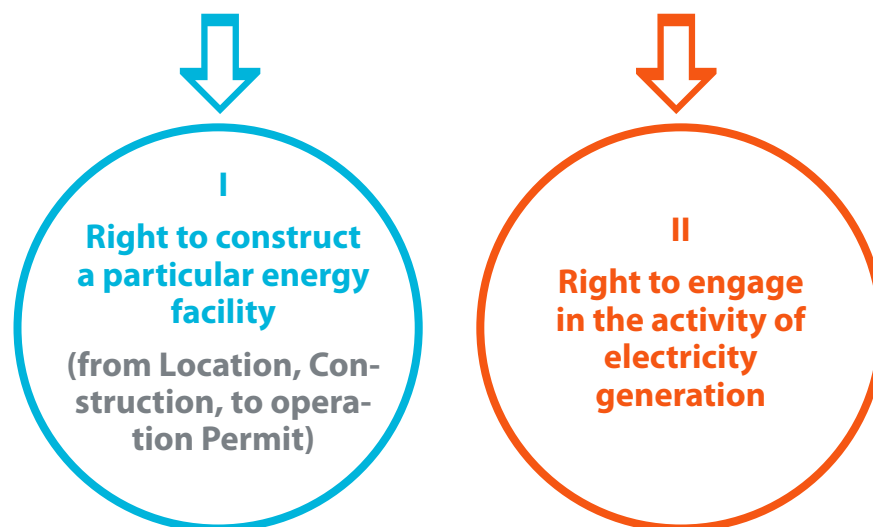
- Energy facilities for engaging in energy-related activity of electricity generation from water potential, capacity ≤ 30 MW
- May acquire the status of privileged electricity producer
- May acquire the right to feed-in tariffs
- Until 2011, these rights could be acquired only by small hydropower plants having capacity up to 10 MW \Rightarrow now such possibility is set for power plants of ≤ 30 MW (hereinafter: „small hydropower plants“)

Note

It should be underlined that this Guide refers to small hydropower plants in general and describes procedures concerning competent authorities and institutions, but that certain elements of these procedures, as well as execution of certain procedures depend on the size of the plant, location where the plant is constructed, specific technology for the production of energy and other features of the plant

Small Hydropower Plants - Sources of Law

Investor should acquire the following rights:



Classification of Power Plants

- **Energy Law**
 - power plants using renewable energy sources
- **Rulebook on Criteria for Issuing Energy Permit, Contents of Application and Procedures of Issuing Energy Permit**
 - Plants for electricity generation, rated capacity from 1 to 10 MW
 - Plants for electricity generation, rated capacity over 10 MW

Classification of Power Plants

- **Law on Planning and Construction**
 - Power plants using renewable energy sources – competence of the Ministry in charge of Construction, or Autonomous Province,
- **Decree on Conditions and Procedure for Acquiring the Status of Privileged Power Producer**
 - power plants using hydropower potential in the production process – new ones
 - power plants using hydropower potential in the production process – on the existing infrastructure
- **Decree on the List of Projects for which Environmental Impact Assessment (EIA) Study is mandatory and the List of Projects for which EIA Study may be required make distinction between the following plants**
 - Plants having the capacity of 2 to 50 MW – for which the Environmental Impact Assessment Study is mandatory, and
 - Plants having the capacity of up to 2 MW – for which the Environmental Impact Assessment Study may be requested if these are constructed in a protected cultural asset or in the protected environs of outstanding cultural assets and in other areas for special use

Relevant Legislation

- Energy Law (“Off.Gazette of the ROS” No. 57/11, 80/11, 93/12 i 124/12)
- Decision on Adoption of the Energy Sector Development Strategy of the Republic of Serbia from 2015 («Off.Gazette of the ROS» No. 44/05)
- Decree of the Program for the Realization of the Energy Sector Development Strategy of the Republic of Serbia until 2015 for the period from 2007 to 2012 («Off.Gazette of the ROS» No. 17/07, 73/07, 99/09 and 27/10)
- Law on Planning and Construction (“Off.Gazette of the ROS” No. 72/09, 81/09, 24/11 i 121/12)
- Law on Spatial Plan of the Republic of Serbia from 2010 to 2020 (“Off.Gazette of the ROS” No. 88/10)
- Law on Environmental Protection (“Off.Gazette of the ROS” No. 135/04 i 36/09)
- Law on Waters (“Off.Gazette of the ROS” Nos 30/10 and 93/12)
- Law on Environmental Impact Assessment («Off.Gazette of the ROS” No. 135/04 i 36/09).
- and other laws and by-laws...

Competent Institutions

- Ministry of Energy, Development and Environmental Protection – MEDEP
 - Local self-government unit - LSU
 - Energy Agency - EA
 - Republic Geodetic Authority- RGA
 - Ministry of Agriculture, Forestry and Water Management – MAFWM
 - Ministry of Natural Resources, Mining and Spatial Planning - MNRMSP
 - Republic Hydrometeorological Service - RHMS
 - Electric Power Grid of Serbia- EPGS
 - Electric Power Industry of Serbia- EPS
 - and other institutions relevant in the specific case
-

Basic Steps from the Idea to the Use of Power Plant

- I Acquiring
 - right to construct a power plant
- II Acquiring
 - right to engage in the activity of electricity generation

Basic Steps from Idea to Operation of a Power Plant

I Acquiring the Right to Construct a Power Plant

I-1 Obtaining Information on Location

I-2 Obtaining Energy Permit

Preparation of Pre-feasibility Study with the General Design

Resolving of Property Right Relations / Allotment and Re-allotment

Collection of Conditions for the Design

I-3 Obtaining Location Permit*

Preparation of Pre-feasibility Study with Conceptual Design / Main Design

Elaboration of Environmental Impact Assessment Study

I-4 Obtaining Construction Permit

Construction of the Facility

I-5 Obtaining Water Permit and Operation Permit

**can be carried out before or after obtaining Energy Permit*

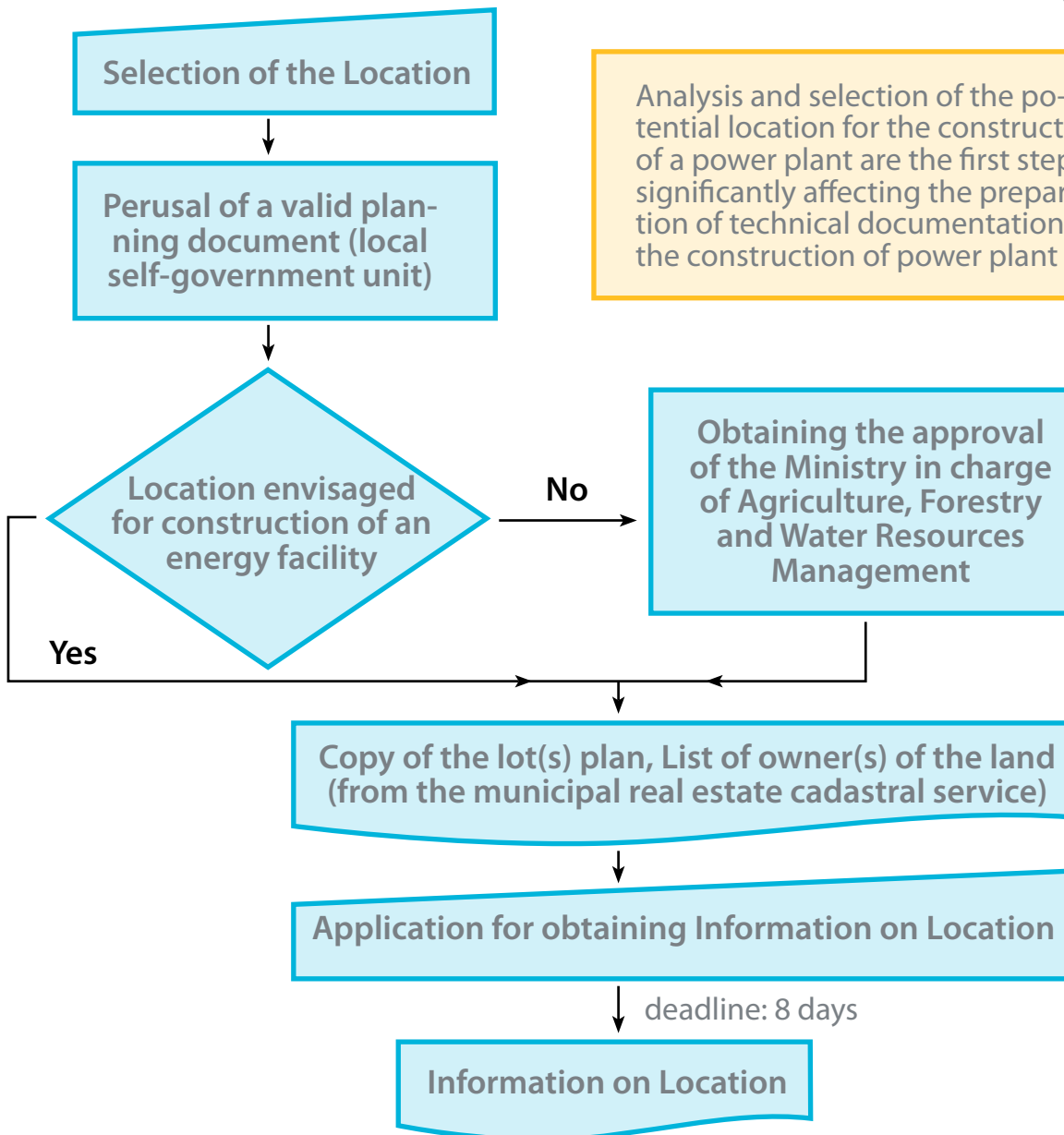
I-1

Obtaining Information on Location

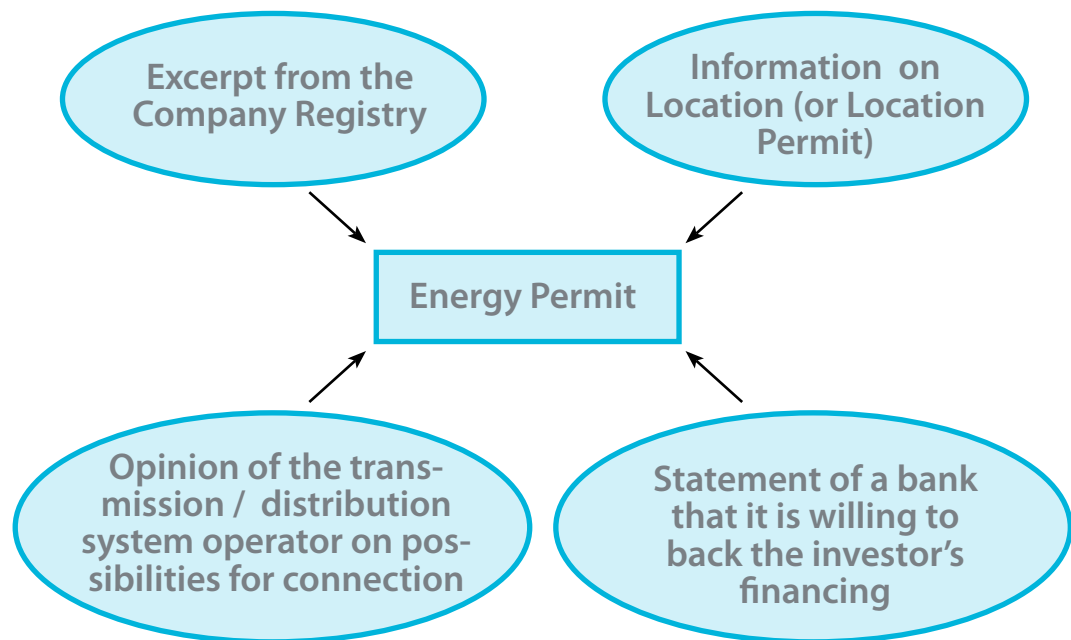
I-1 Selection of the Location, Perusal of Valid Planning Documents and Information on Location

Note

Analysis and selection of the potential location for the construction of a power plant are the first step, significantly affecting the preparation of technical documentation for the construction of power plant



I-2

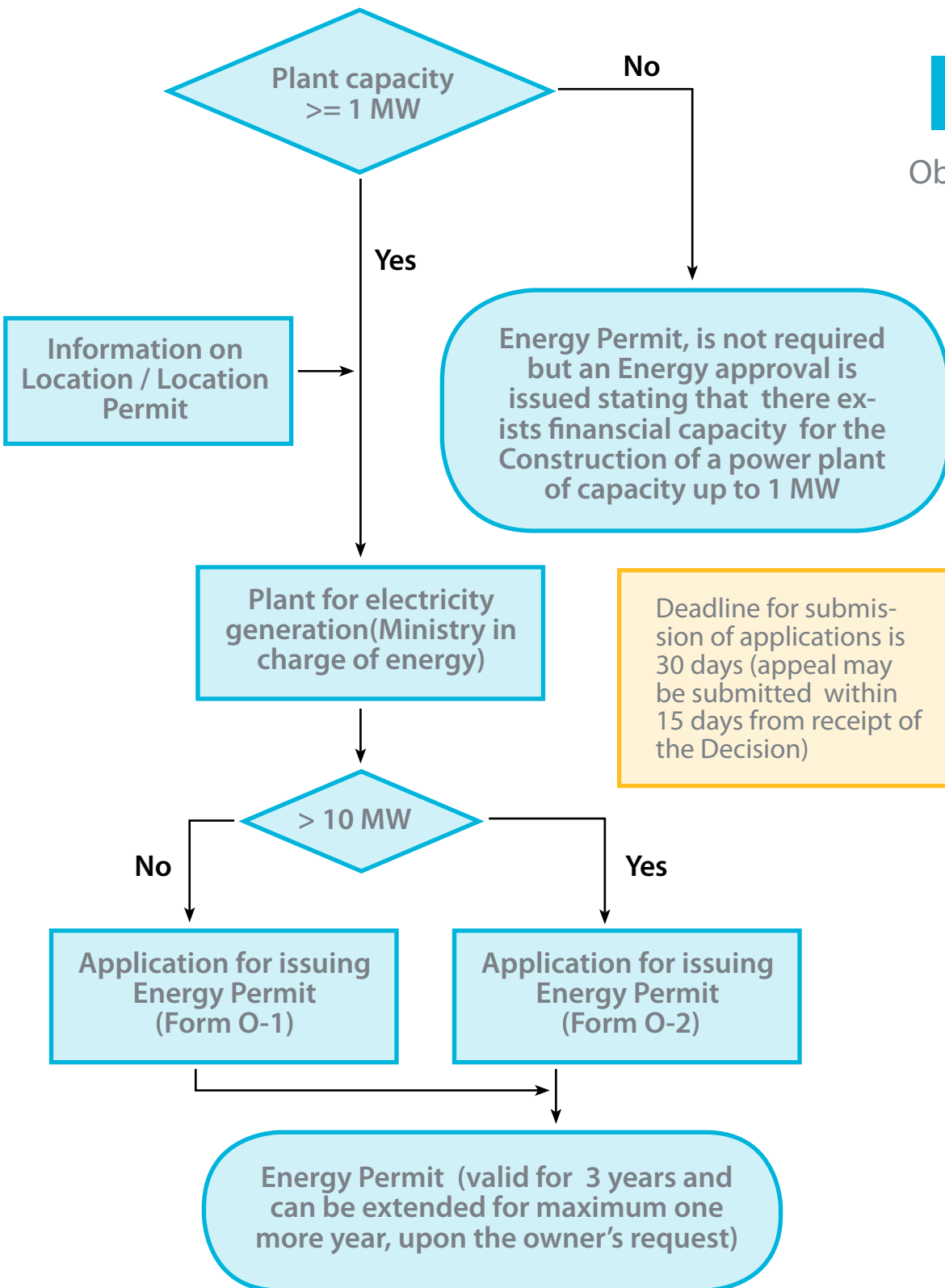
Energy
Permit

Note

- Energy Permit is a document required for obtaining the Construction Permit, prescribed by the Energy Law
- For power plants of capacity up to 1 MW Energy Approval should be obtained

I-2

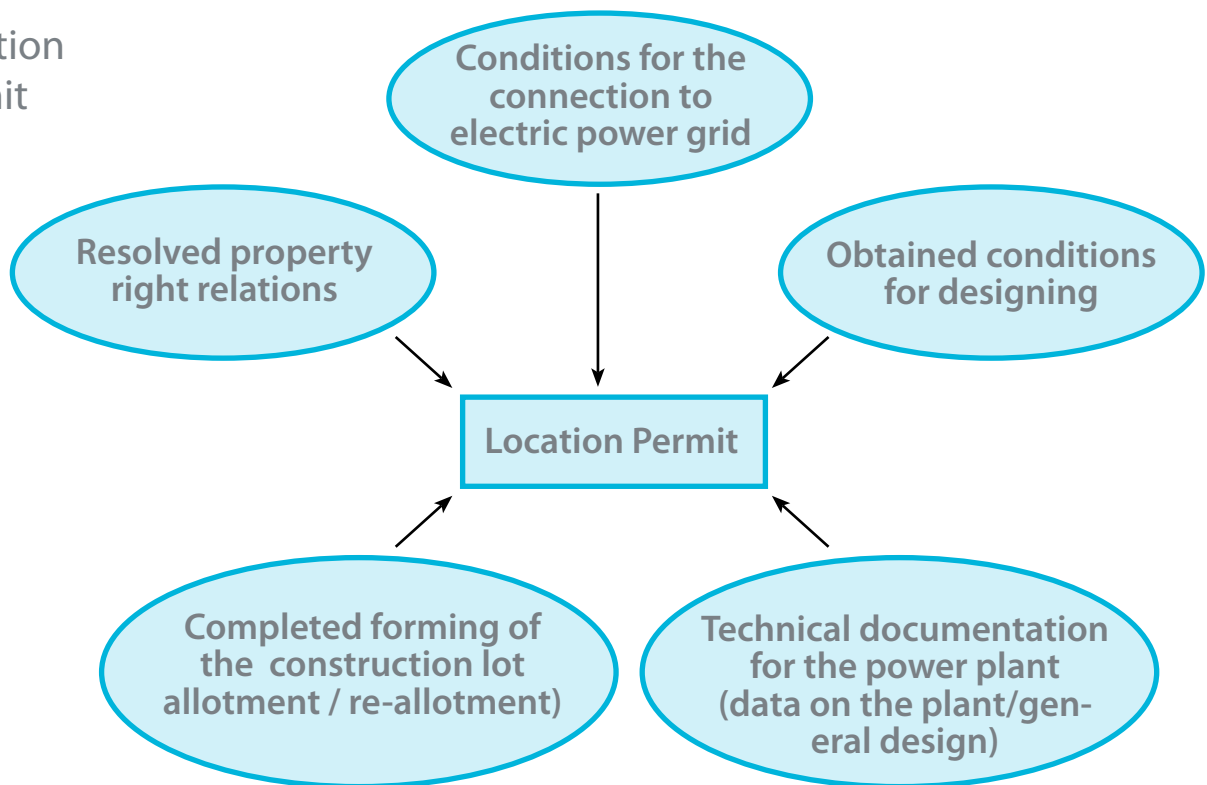
Obtaining Energy Permit



Note

I-3

Location Permit

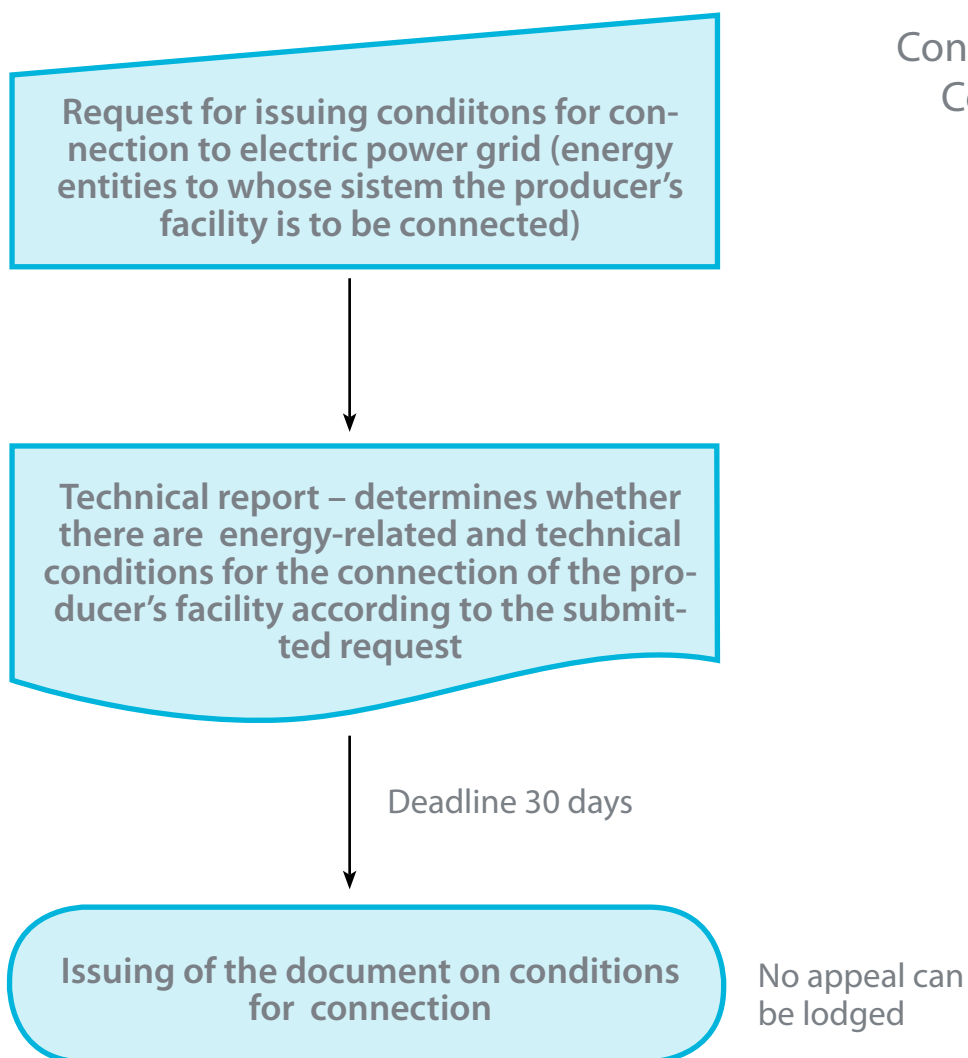


Note

Location Permit contains all conditions and data required for the preparation of technical documentation, Main Design, all in compliance with the valid planning document

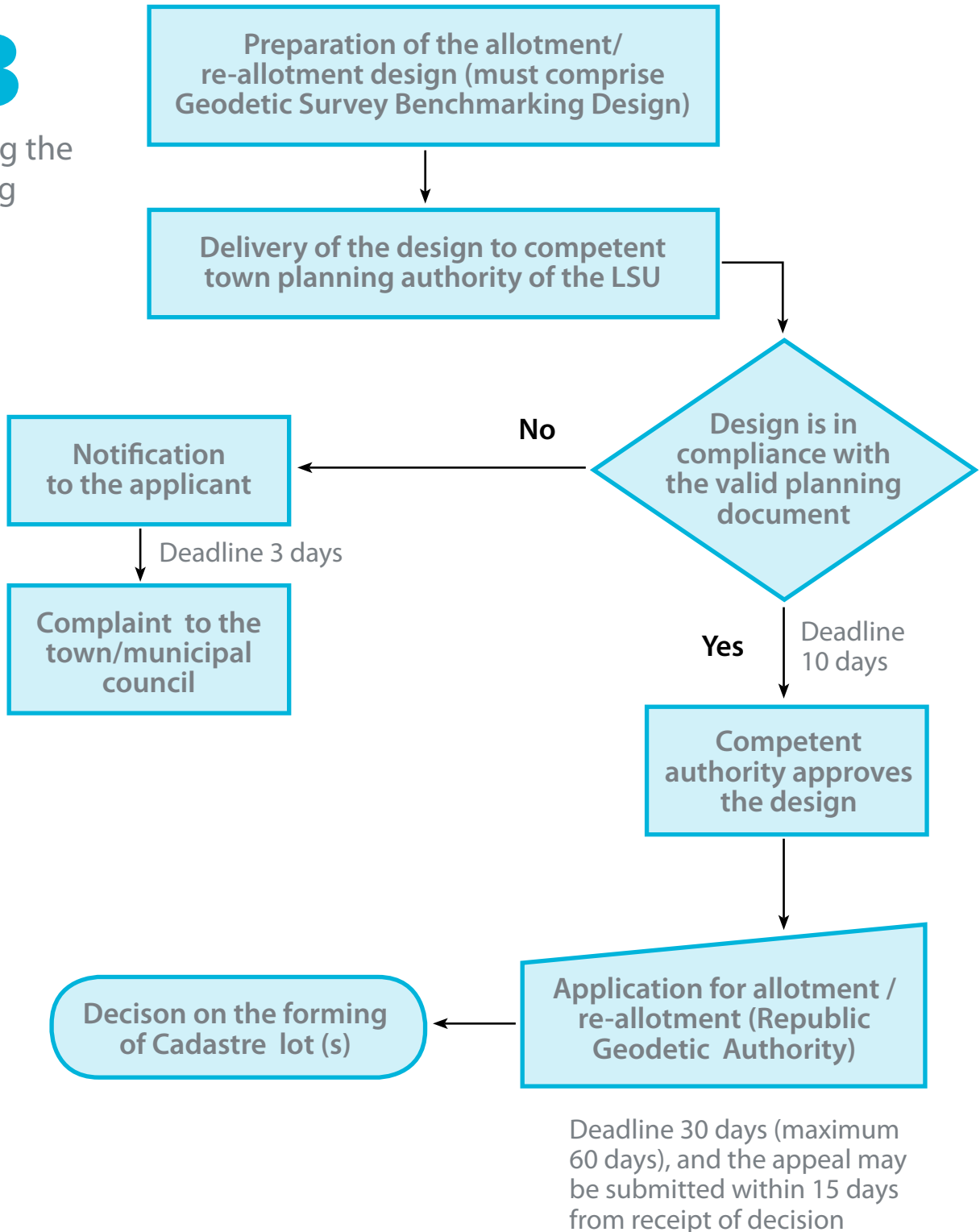
I-3

Conditions for Connection



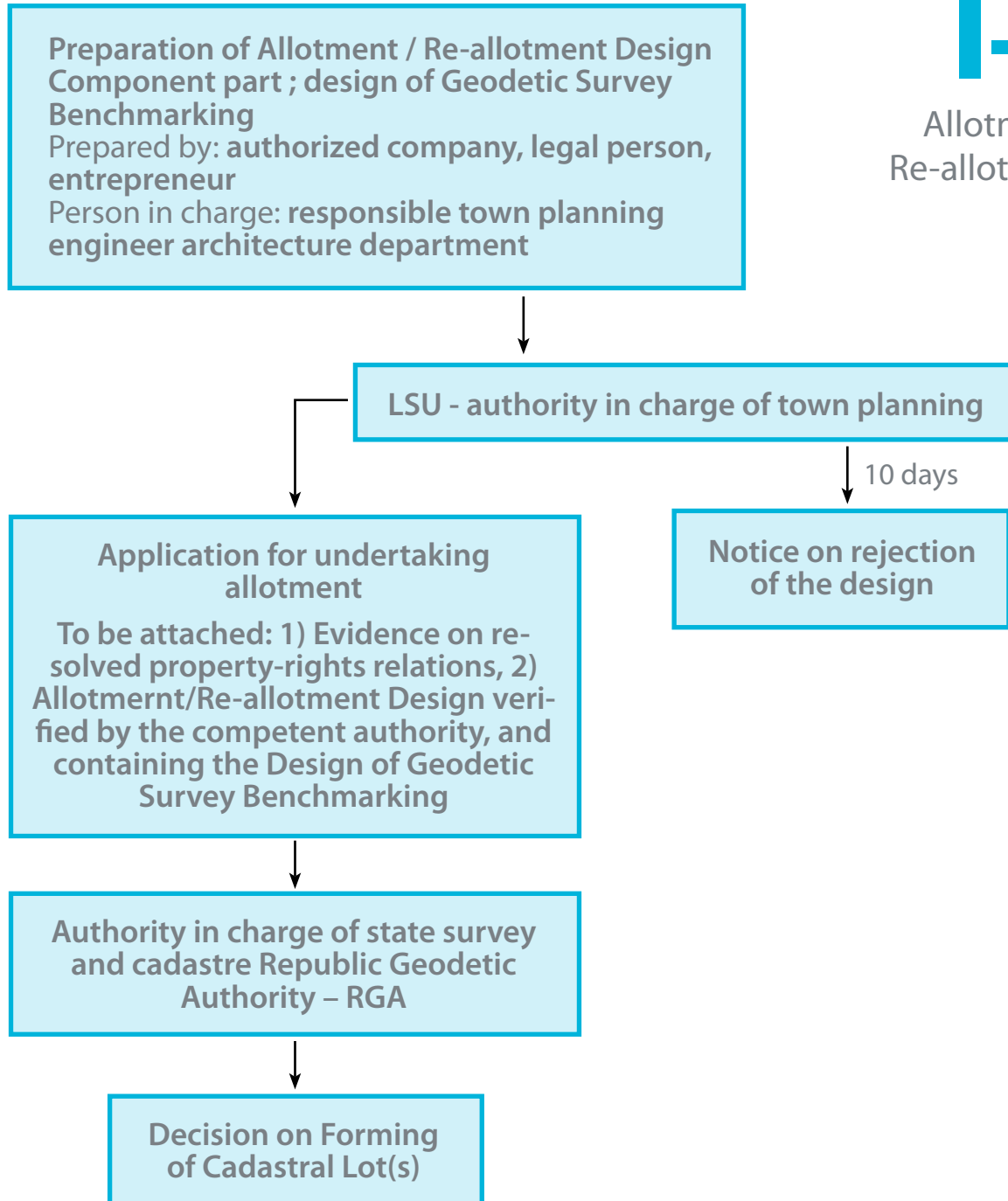
I-3

Forming the Building Plot



I-3

Allotment/ Re-allotment



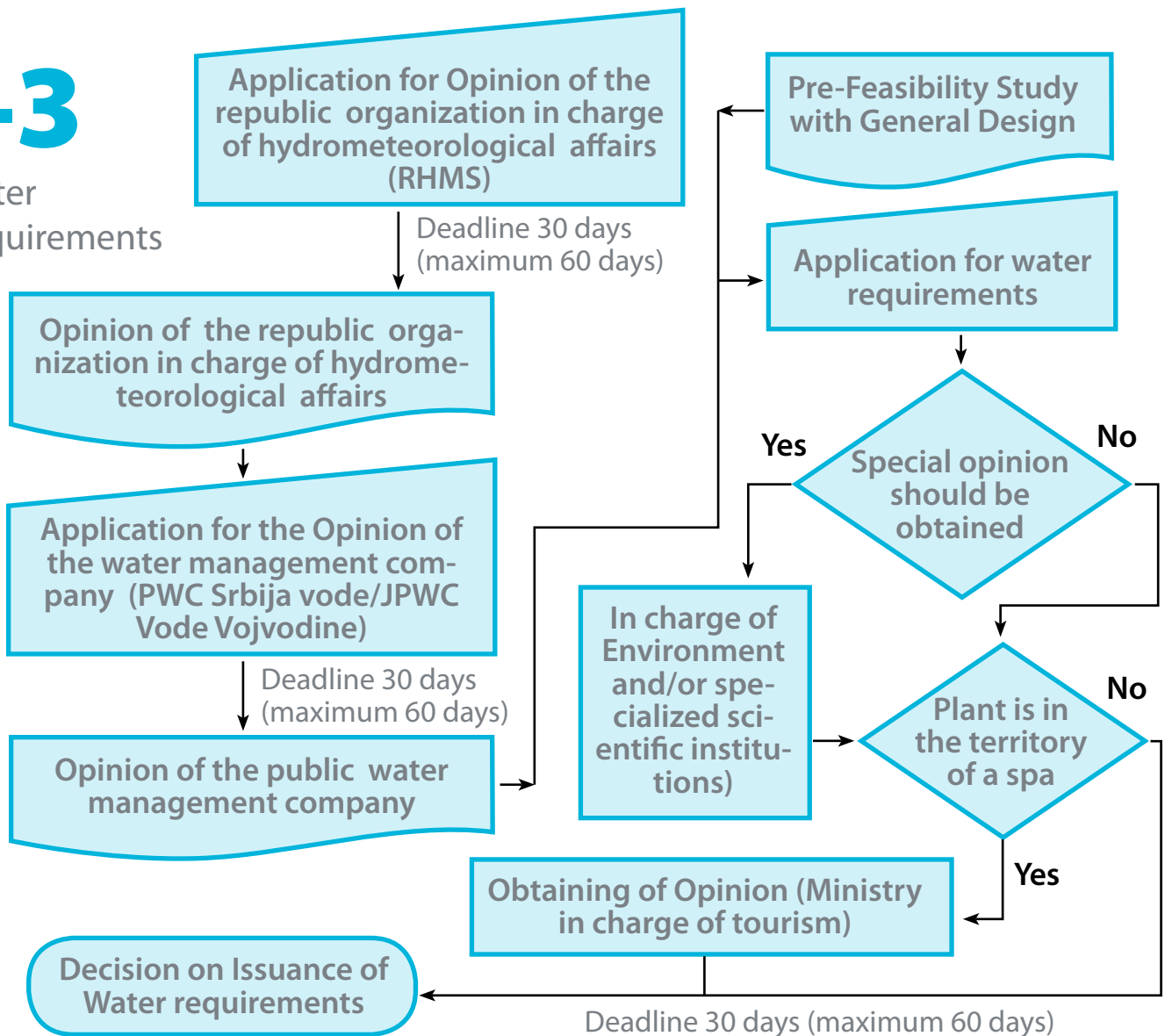
I-3

Water Related Documents

- **Water-related documents**
 - Water requirements(I-3)
 - Water approval(I-4)
 - Water Permit (I-5)
 - Water order
- **Competence**
 - Ministry in charge of water management
 - Competent authority of the Autonomous Province (for the plants on the territory of Autonomous Province)
 - Competent authority of the City of Belgrade (for the plants on the territory of the City of Belgrade)

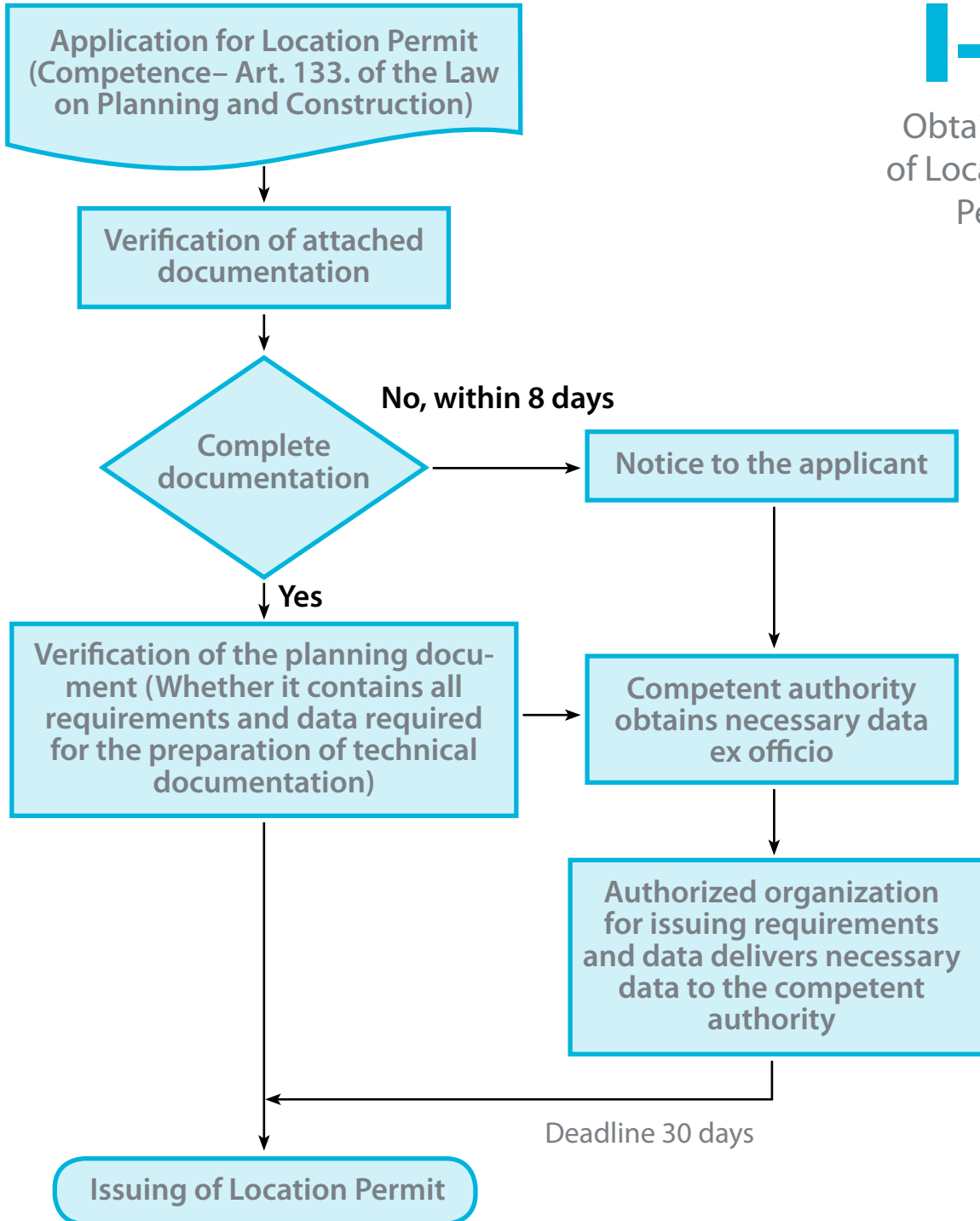
I-3

Water Requirements



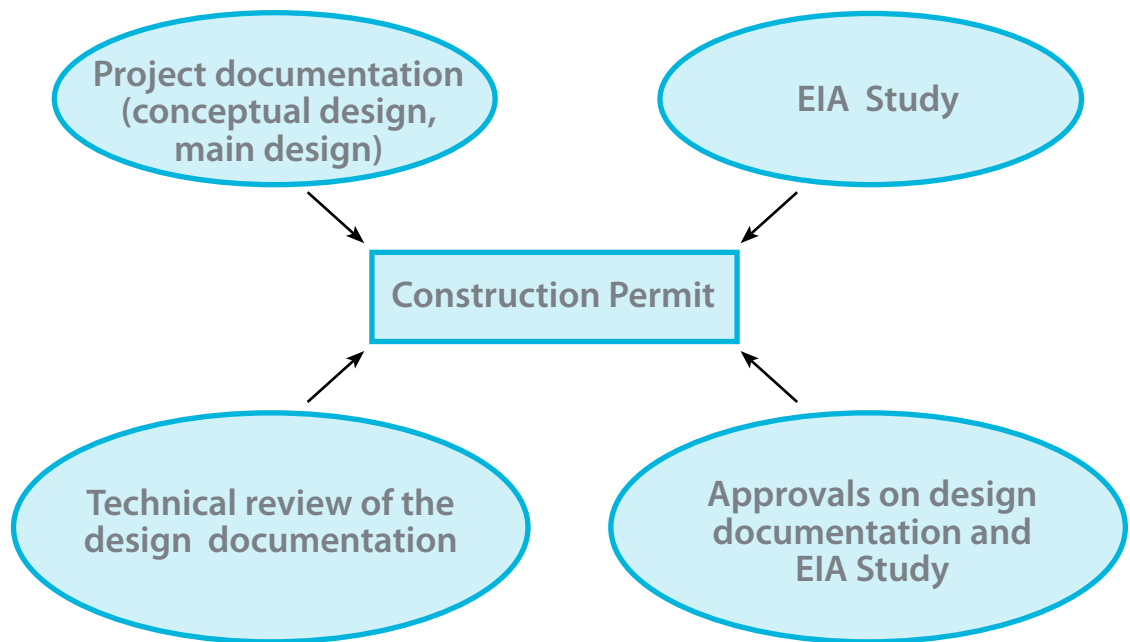
I-3

Obtaining of Location Permit



I-4

Construction Permit



Note

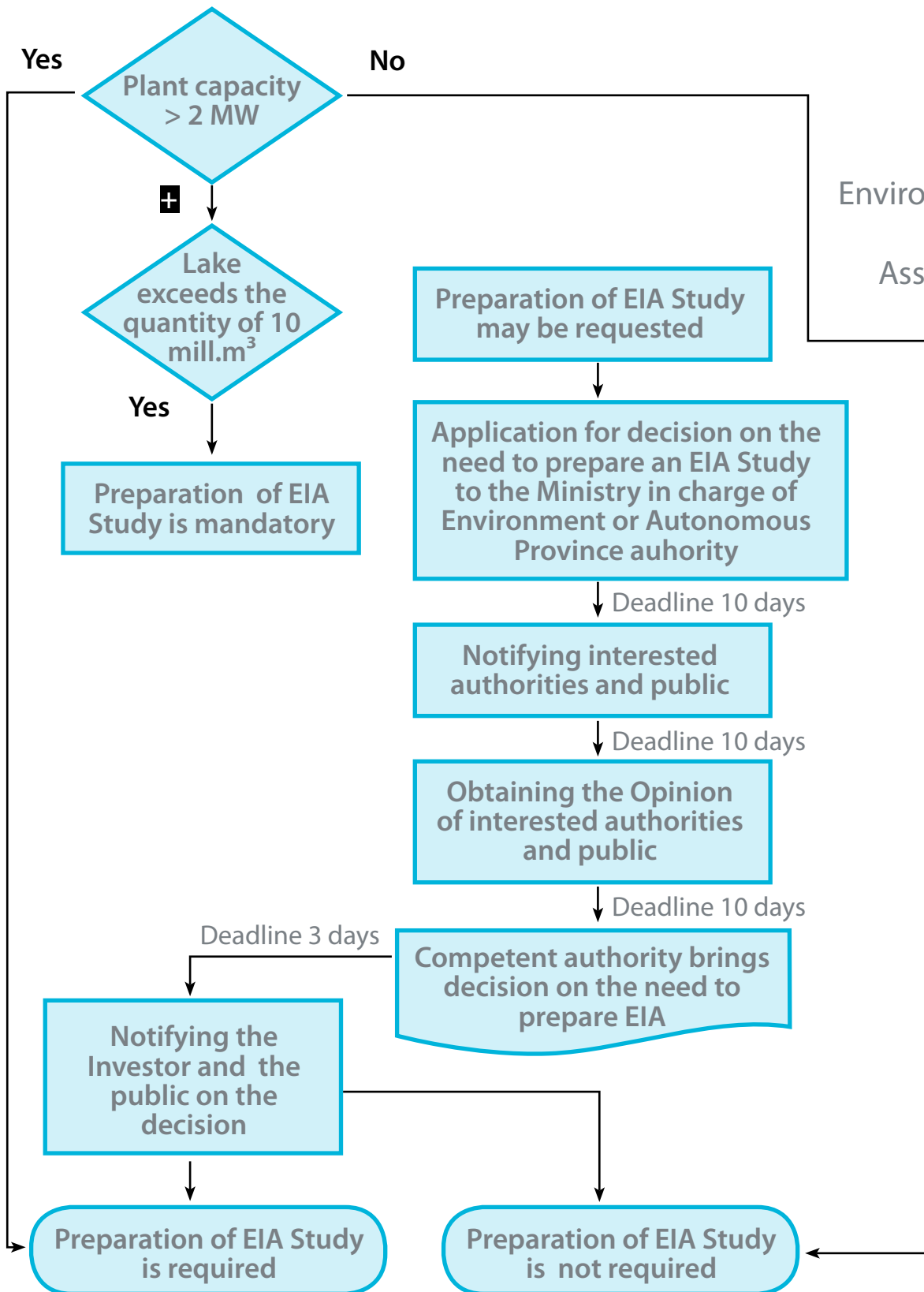
After completion of the technical review of the main design and getting a positive report on the completed review, the Application for the Construction Permit shall be submitted, to the competent authority referred to in the Article 133 of the Law on Planning and Construction:

- Ministry in charge of construction affairs
- If the power plant is located at the territory of the Autonomous Province – to the secretariat of the Autonomous Province in charge of construction affairs

Basic Steps from Idea to Operation of a Power Plant
Acquiring the Right to Construct a Power Plant

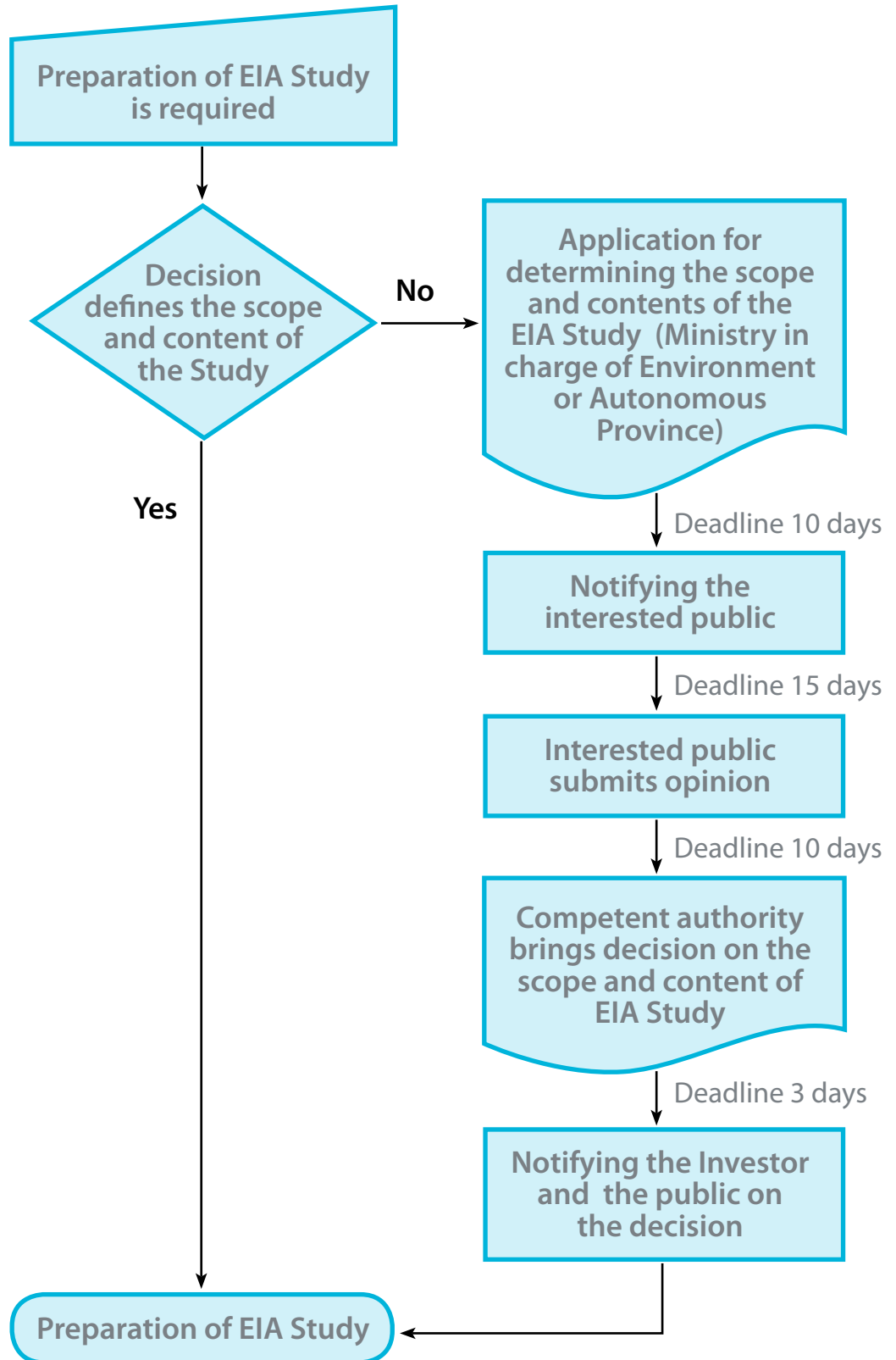
I-4

Environmental
Impact
Assessment
(1)



I-4

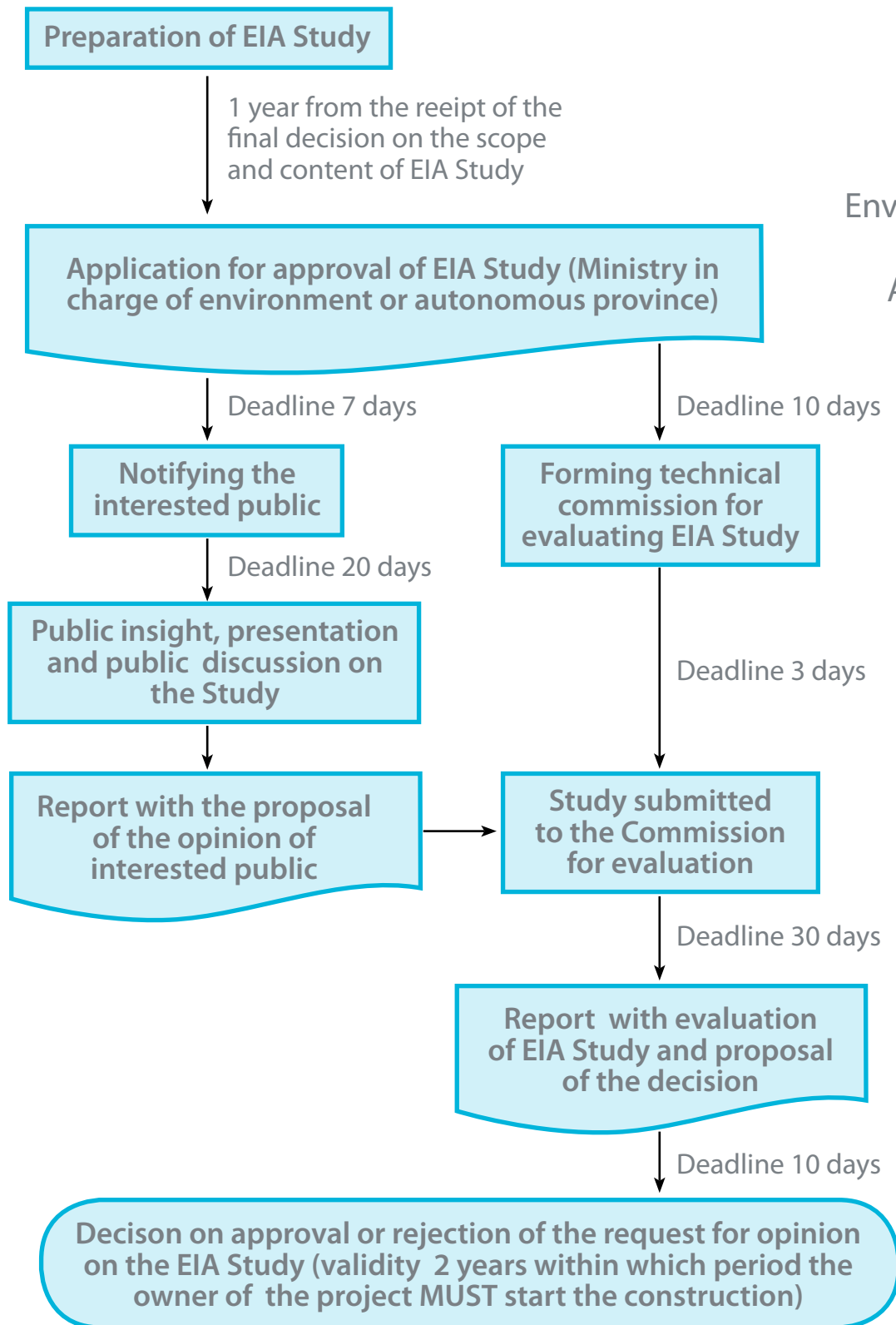
Environmental Impact Assessment (2)



Basic Steps from Idea to Operation of a Power Plant
Acquiring the Right to Construct a Power Plant

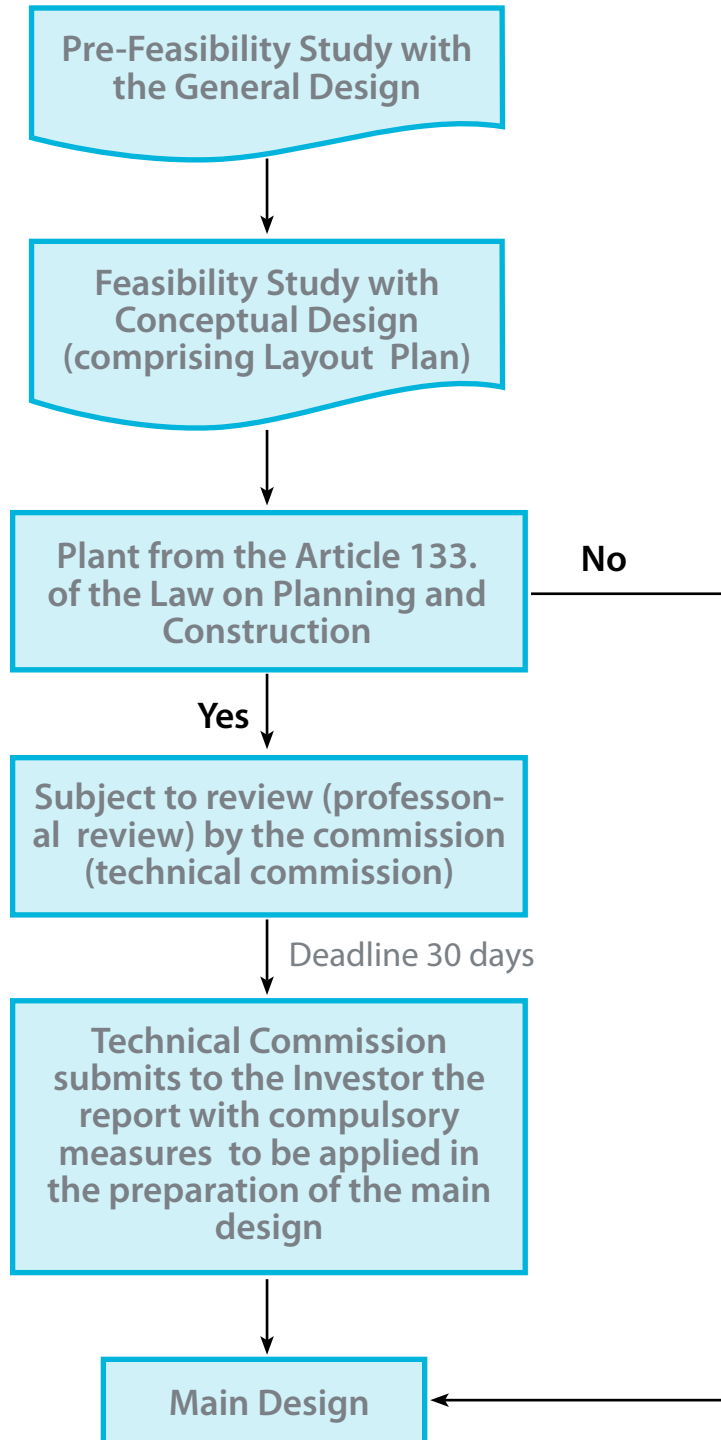
I-4

Environmental Impact Assessment (3)



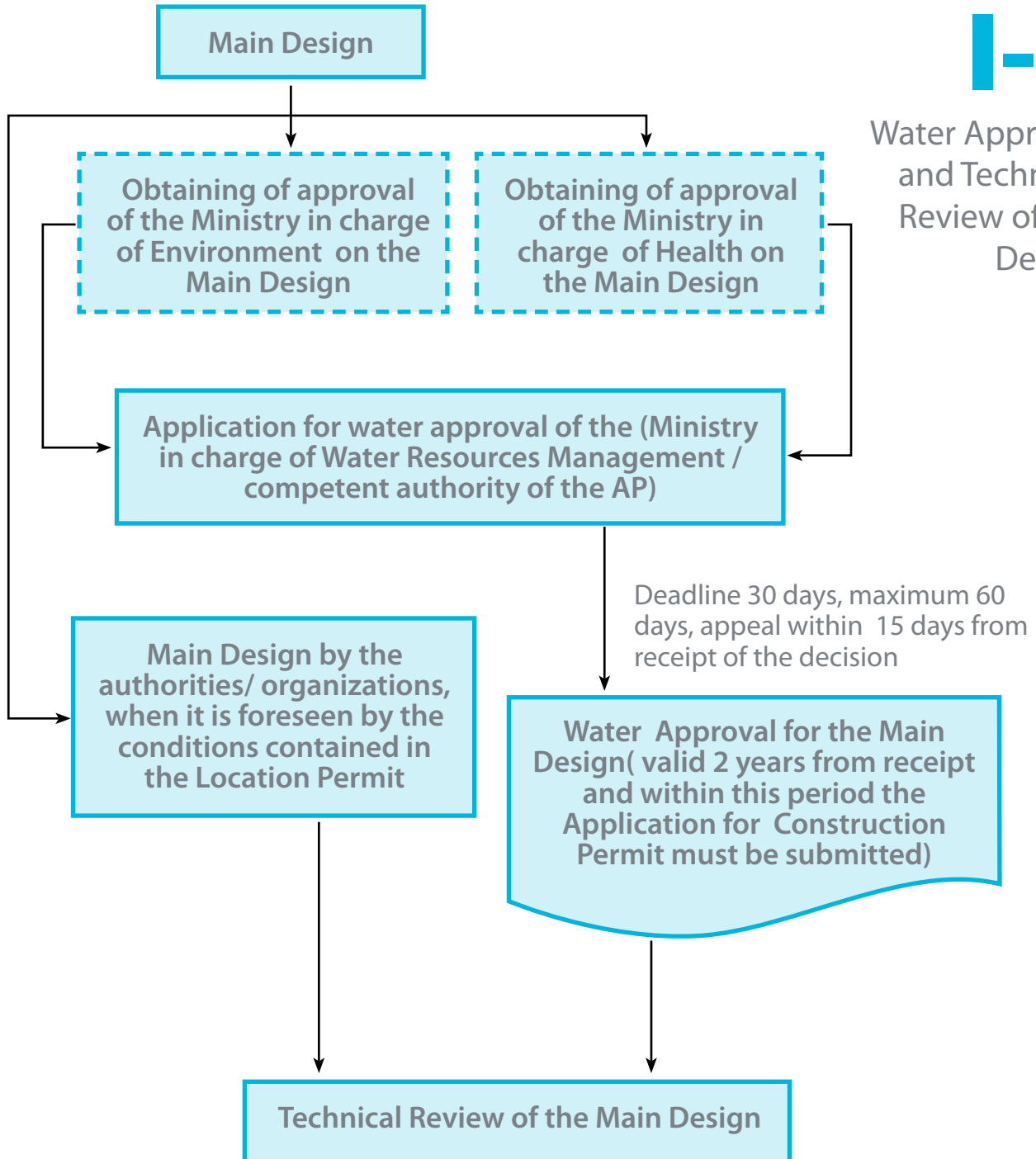
I-4

Technical Documentation



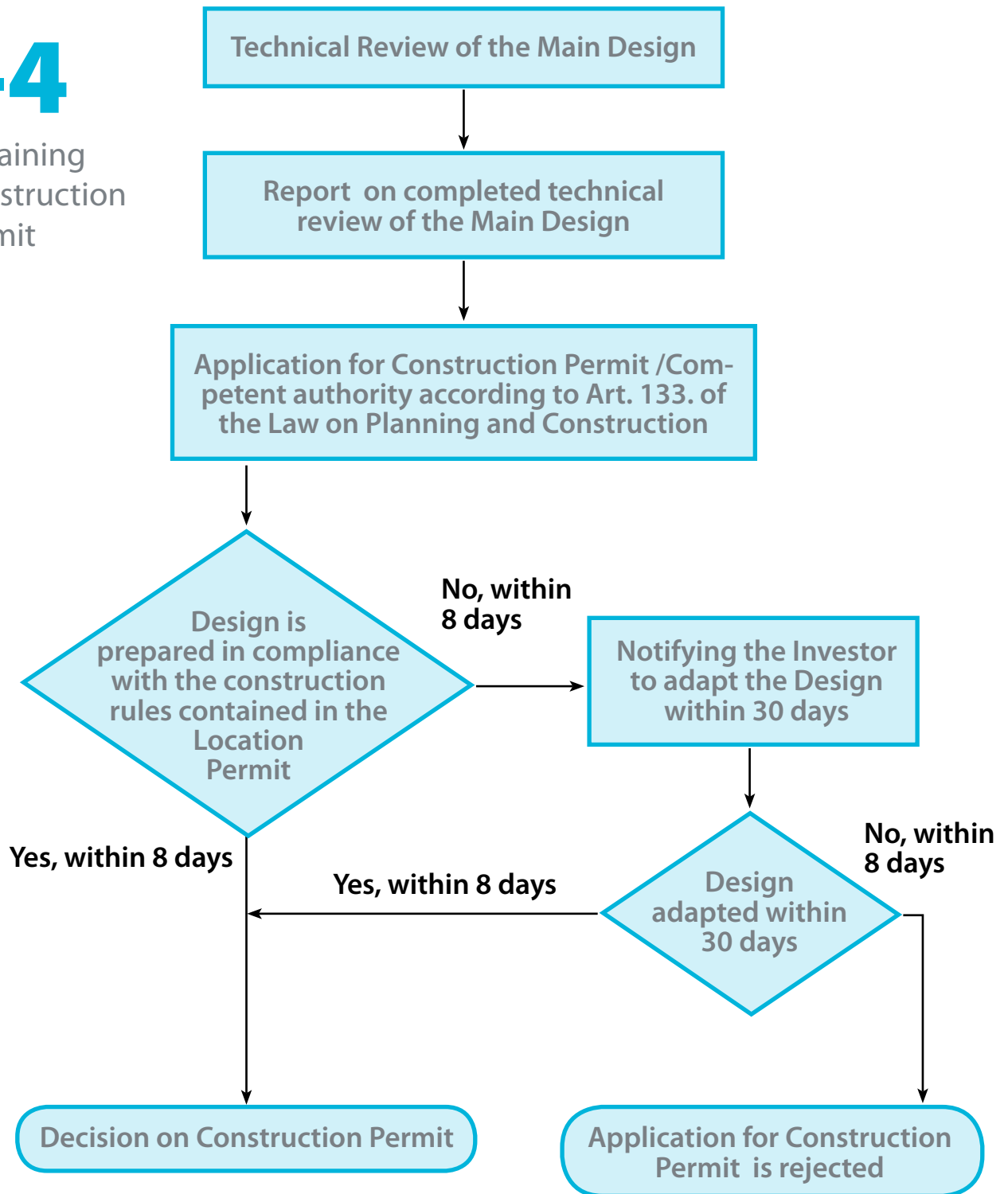
I-4

Water Approval and Technical Review of the Design



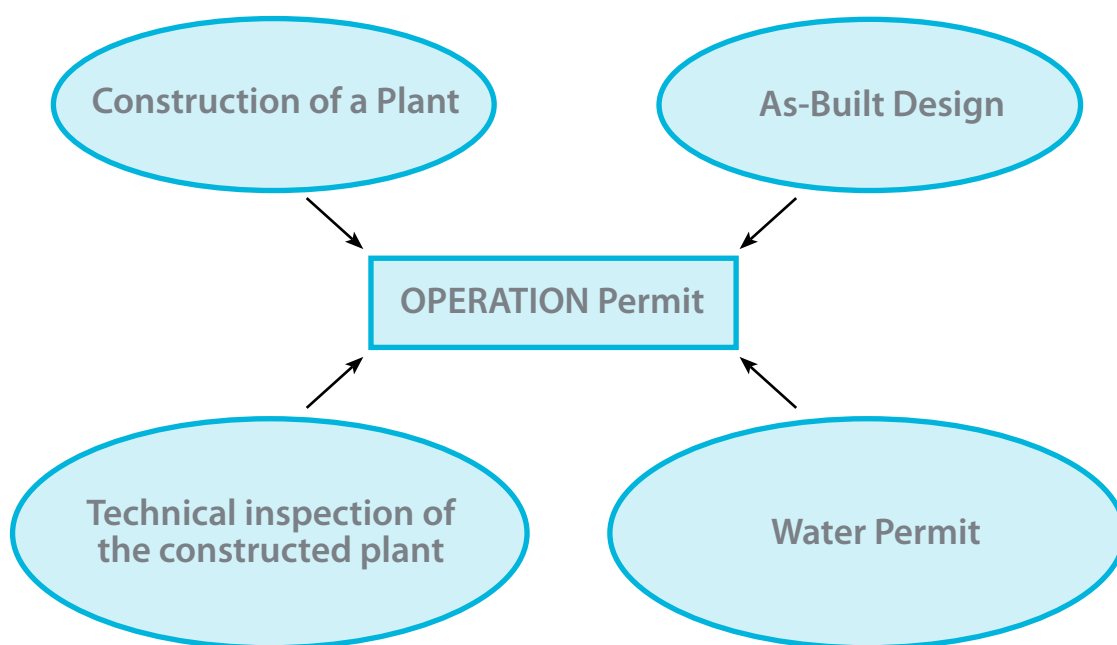
I-4

Obtaining Construction Permit



I-5

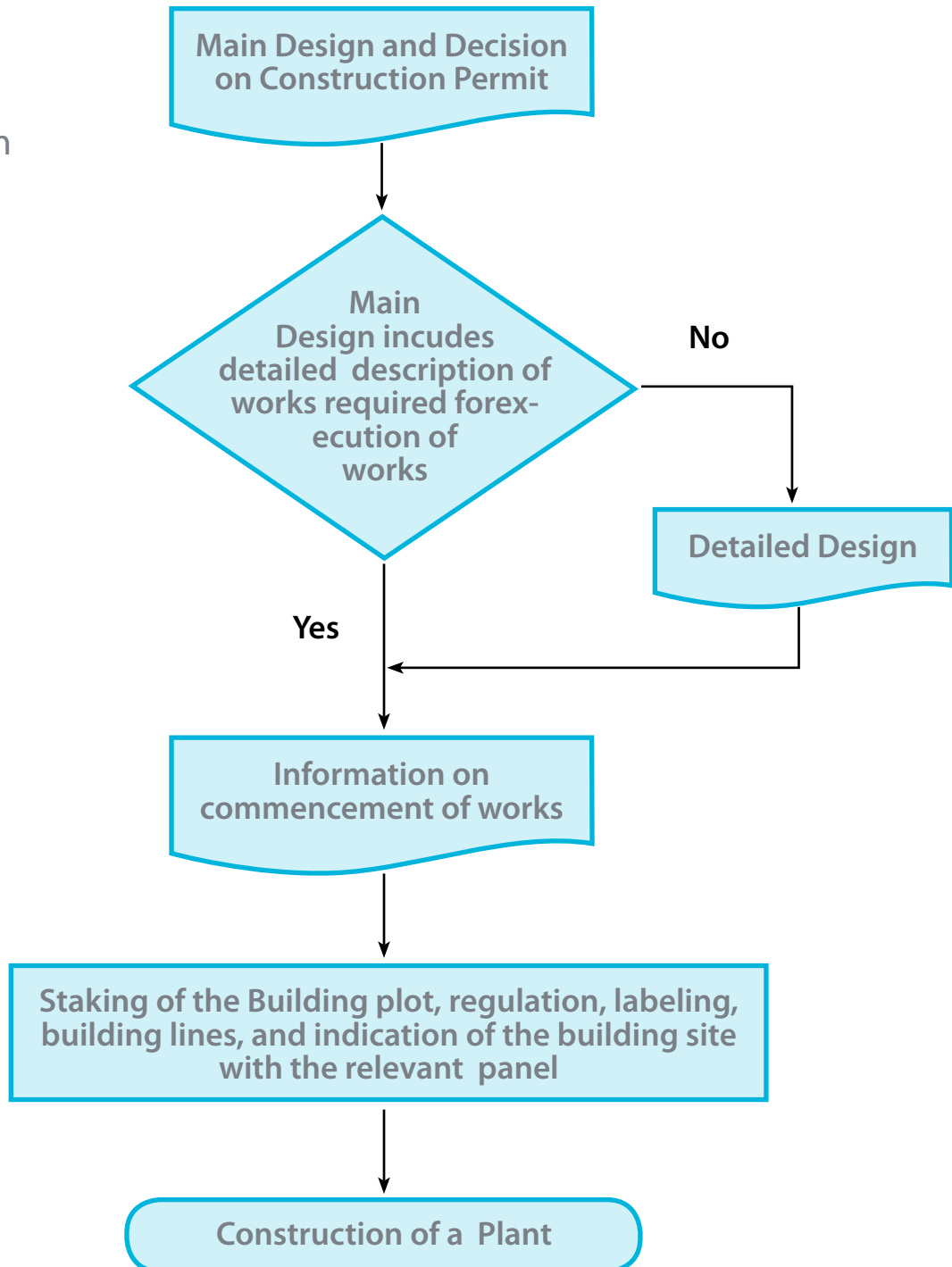
Operation Permit



- Fitness of the plant for operation is established through a technical inspection
- The plant may be used pursuant to previously obtained Operation Permit
- During the process of obtaining the Operation Permit the As-Built Design should be enclosed

Note

1-5

Construction
of a Plant

- Construction of plant, or execution of works, can be carried out by an economic entity registered in the corresponding register for the construction of plant, or for the execution of works (the contractor)
- Contractor's obligations are: to sign the main design before the commencement of works, by a decision, to designate the responsible contracting engineer, to provide to the responsible contracting engineer the contract on construction and documentation on the basis of which the plant is being built, to ensure preventive measures for a safe and harmful work in accordance with the law, to execute works according to the documentation on the basis of which the Construction Permit was issued, to organize the building site in the manner that will ensure access to the location, ensure security of the plant and the persons at the building site and its surrounding, to provide evidence on the quality of executed works, to keep the building log, building diary and ensure the inspection book, to secure plants and environs in case of the discontinuation of works.
- The construction contract, decision on appointment of the responsible contractor on the site and the main design, i.e. documentation on the basis of which the plant is being built should be constantly kept at the building site
- Investor ensures the technical supervision during the construction of the plant or execution of works for which the Construction Permit was issued

I-5

Construction of a Plant

Application for Water Permit

To be attached: 1) Decision on issuance of the Water Approval 2) Minutes made by the Commission for the technical review of the constructed plant, 3) Contracts signed with the Public Water Management Company, 4) Documents requested in the Decision on water approval. If required, the Investor will be subsequently informed to adapt/amend the documentation



To be submitted to the Ministry in charge of Water Resources Management



Decision on issuing the Water Permit

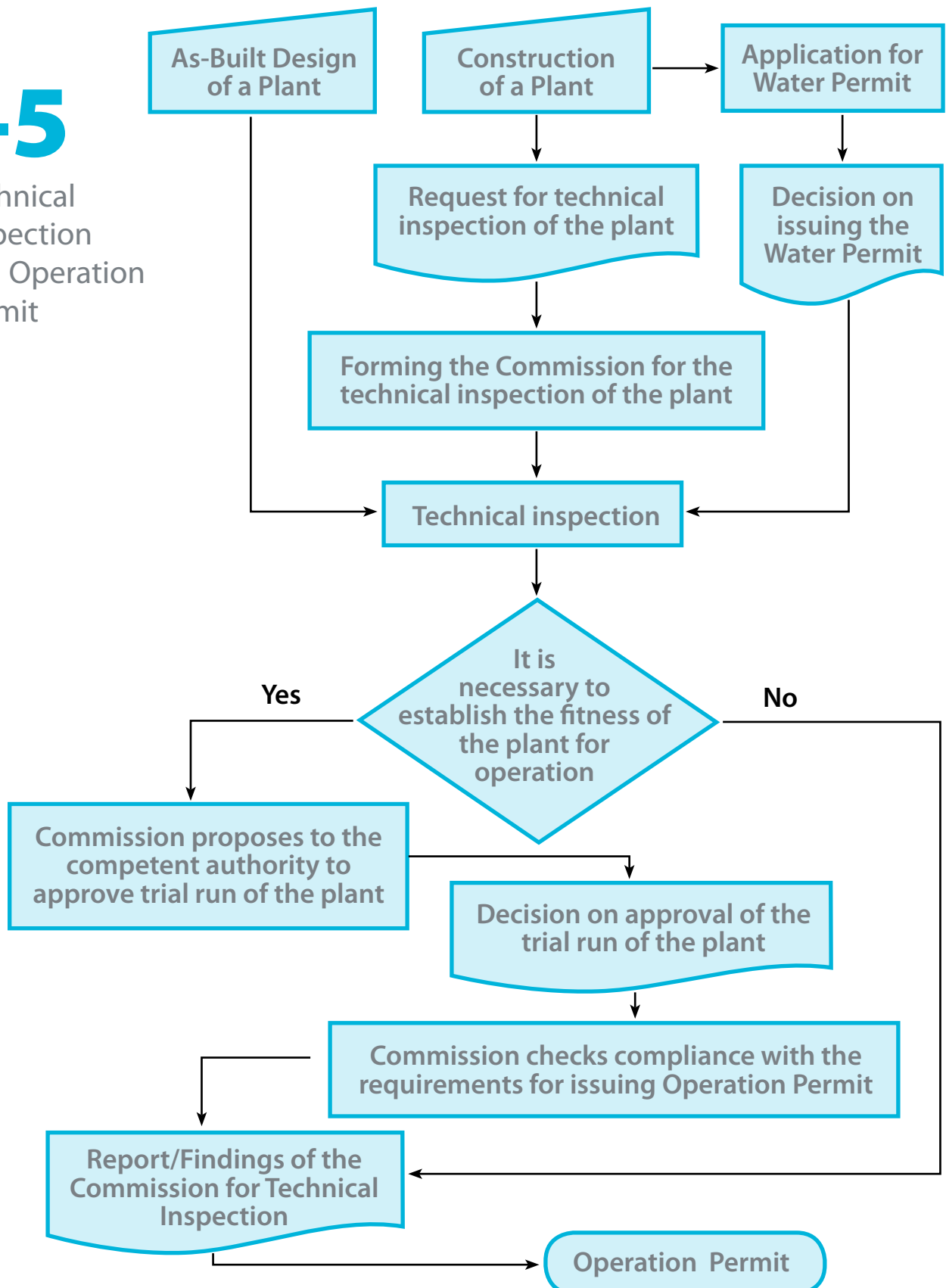
Issued for a period of maximum 15 years. Before its expiry its validity should be extended.

I-5

Obtaining Water Permit*

*Obtaining Water Permit follows the completed technical inspection of the plant. Operation Permit may not be issued without the previously obtained Water Permit

I-5

Technical
Inspection
and Operation
Permit

Basic Steps from the Idea to the Use of Power Plant



Acquiring the Right to Engage in the Activity of Electricity Generation

- II-1 Concession to Exploit a Natural Resource *
- II-2 License
- II-3 Connection
- II-4 Privileged Producer Status
- II-5 Purchase of electricity

Electricity generation



Market activity

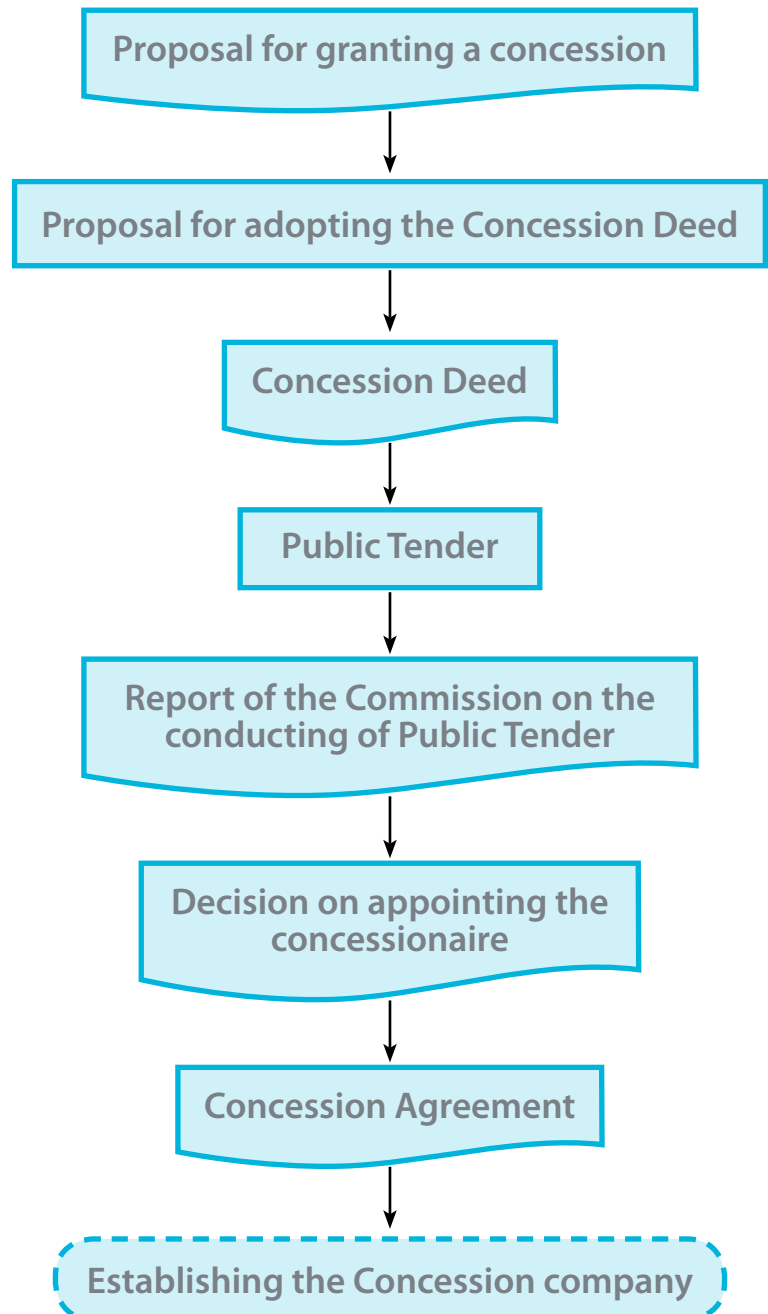
**possibility according to the law regulating concessions*

II-1

Concession

Note

Issued for a period of 5-50 years- for the use of natural resources and is not a prerequisite for acquiring the right to engage in an activity





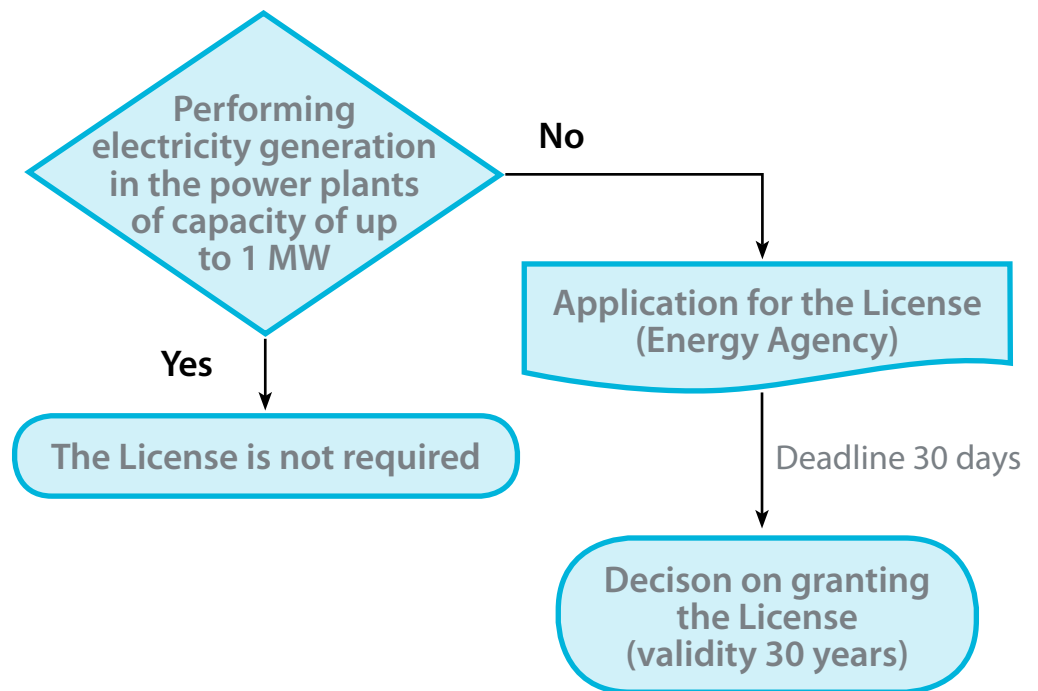
II-1

Concession – Contents of the Concession Agreement

- Parties to the agreement, subject matter of the concession, including description of plants, equipment and installations
- Validity period of the concession and conditions for its extension , duration of preparatory activities
- Distribution of risk between the public and the private partner and the scope of exclusive rights of the private partner
- Amount and the manner of providing guarantee for performance of concession commitments.
- Conditions of performing the concession –related activity and standards regarding products and services, transfer of technology
- Concession fee (amount, terms, conditions and the manner of payment)
- Rights and obligations regarding general safety, health protection and environmental protection , as well as the responsibility for the compensation of damages caused by jeopardizing the general safety and environment
- Rights to transfer the concession
- Time and manner of handing over the assets, structures, equipments and installations and the condition in which they have to be delivered
- Conditions of amendments of the agreement or its termination and their consequences, changed circumstances and the force majeure.
- Manner of resolving disputes and the application of the appropriate law
- Other provisions which are agreed by the parties to the agreement. The agreement also regulates the manner of mutual information on the execution of the agreement, manner of monitoring the implementation of the agreement and exercising of the rights and obligations of the parties to the agreement.

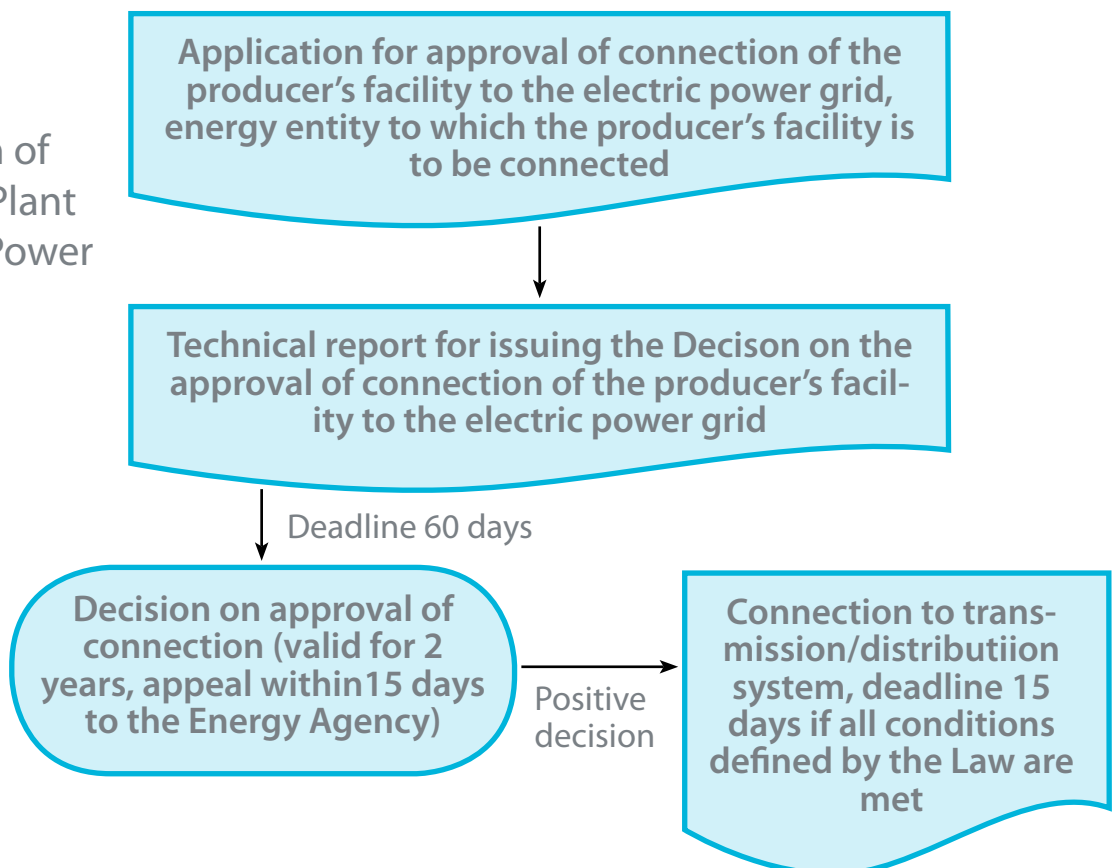
II-2

License -
for Engaging in
Energy-Related
Activities



II-3

Connection of
the Power Plant
to Electric Power
Grid



II-4

Privileged Producer Status

- Priority in the takeover of the total generated electricity by the transmission or distribution system, except in case when safety of operation of those systems is threatened
- Right to subsidies (tax, customs and other facilities)
- Incentives: 1) incentive period; 2) undertaking balancing responsibility; 3) free reading of generated electricity 4) right to conclude a contract with the public supplier, upon expiry of the incentive period, at the price valid at the organized market; 5) Feed-in tariffs:

Item	Type of small hydropower plant	Installed Capacity P (MW)	Incentive/Feed-in Tariff (cEUR/kWh)
1.	New	Up to 0.2	12.40
2.	New	From 0.2 to 0.5	13.727 – 6.633*P
3.	New	From 0.5 to 1	10.41
4.	New	From 1 to 10	10.747 – 0.337*P
5.	New	From 10 to 30	7.38
6.	On existing infrastructure	Up to 30	5.9

II-4

Acquiring the Privileged Producer Status

The application for acquiring the privileged producer status

To be attached:

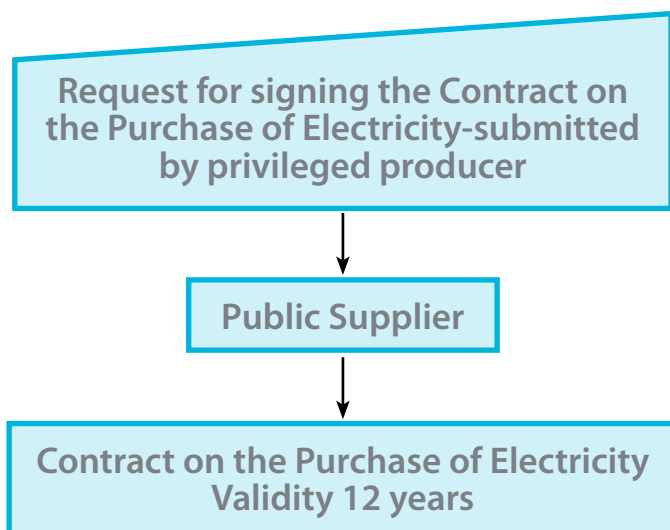
- 1) copy of the license for engaging in electricity generation activity in case the power plant is of a capacity of 1 MW or higher;
- 2) copy of the contract on engagement in the electricity production in the plant being the object of application, signed between the license holder and the applicant, in case the producer is not the license holder;
- 3) Operating Permit for the plant ;
- 4) copy of the agreement on connection to the distribution or to the transmission system
- 5) data on the person responsible for power plant operation

↓ 30 days

Ministry in charge of energy

Decision on granting the privileged electricity producer status
(Validity 12 years)

Appeal – to the Government/
Deadline 15 days



II-5

Contract of the Purchase of Electricity

Note

There are cases of Contracts on the Purchase of produced electricity signed before acquiring the status, made in order to facilitate connection to the grid

Guarantee of Origin

- Document the exclusive function of which is to prove to the end buyer that the given share or quantity of electricity has been generated from renewable energy sources, as well as from combined heat and power production plants with a high coefficient of utilization of primary energy
- Guarantee of Origin shall be issued by the operator of the transmission system for the unit quantity of generated electricity of 1 MWh
- The Guarantee is a document in electronic form and it shall be valid for one year from the date of issuance
- Transferable
- When issued in other states, it shall also be valid in the Republic of Serbia under the conditions of reciprocity and in compliance with the ratified international agreement.



**IZGRADNJA POSTROJENJA I PROIZVODNJA
ELEKTRIČNE ENERGIJE U MALIM
HIDROELEKTRANAMA U REPUBLICI SRBIJI**

Vodič za investitore

IZGRADNJA POSTROJENJA I PROIZVODNJA ELEKTRIČNE ENERGIJE U MALIM HIDROELEKTRANAMA U REPUBLICI SRBIJI

Vodič za investitore

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Predgovor

Srbija ima značajan potencijal u obnovljivim izvorima energije koji je, na žalost, još uvek nedovoljno iskorišćen. Jedan od razloga za takvu situaciju je nedovoljna investiciona aktivnost u ovom sektoru. Očekuje se da će u narednih nekoliko godina doći do krupnih pomaka u tom pogledu, s obzirom na najnoviji korak Vlade Republike Srbije u smislu prihvatanja odluke Ministarskog saveta Energetske zajednice o promociji obnovljive energije kroz transpoziciju Direktive 2009/28/EC o obnovljivim izvorima energije. Ovom odlukom Srbiji je postavljen ambiciozni cilj da poveća učešće obnovljive energije u ukupnoj potrošnji finalne energije na 27% u 2020. godini sa 21.2% u referentnoj, 2009. godini

Program Ujedinjenih nacija za razvoj (UNDP) je tokom 2012. godine, na osnovu sporazuma o saradnji sa Ministarstvom energetike, razvoja i zaštite životne sredine Republike Srbije, sproveo projekat "Političko savetovanje u oblasti obnovljivih izvora energije" tokom koga su izrađena dva nova i izvršena revizija četiri postojeća, zastarela vodiča za investiture u postrojenja koja koriste obnovljive izvore energije:

- IZGRADNJA POSTROJENJA I PROIZVODNJA ELEKTRIČNE/TOPLLOTNE ENERGIJE IZ BIOMASE U REPUBLICI SRBIJI
 - IZGRADNJA POSTROJENJA I PROIZVODNJA ELEKTRIČNE ENERGIJE U MALIM HIDROELEKTRANAMA U REPUBLICI SRBIJI
 - IZGRADNJA POSTROJENJA I PROIZVODNJA ELEKTRIČNE ENERGIJE U VETROELEKTRANAMA U REPUBLICI SRBIJI
-

-
- **IZGRADNJA POSTROJENJA I PROIZVODNJA ELEKTRIČNE/TOPLLOTNE ENERGIJE IZ HIDROGEOTERMALNIH IZVORA U REPUBLICI SRBIJI**
 - **IZGRADNJA POSTROJENJA I PROIZVODNJA ELEKTRIČNE ENERGIJE U SOLARNIM ELEKTRANAMA U REPUBLICI SRBIJI**
 - **IZGRADNJA SOLARNIH GREJNIH SISTEMA U REPUBLICI SRBIJI**

Svi vodiči, izuzev jednog, su dvojezični i izrađeni u dve verzije. U šest detaljnih vodiča opisane su celokupne složene procedure za izgradnju postrojenja i obavljanje delatnosti proizvodnje energije iz konkretnih obnovljivih izvora, uz upućivanje na odgovarajuće propise i navođenje nadležnih institucija. Detaljni vodiči namenjeni su, pre svega, investitorima i stručnjacima koji rade na razvoju projekata, ali i zaposlenima u različitim nadležnim institucijama, s obzirom na međusektorski karakter procedura. U pet sažetih vodiča ova složena problematika prikazana je manje detaljno i na slikovit način, čime se tema približava i širem krugu zainteresovanih strana.

Cilj izrade vodiča je da se ohrabre i pomognu investitori da ulažu u obnovljive izvore energije u Srbiji, ali i da se, kroz detaljno sagledavanje složenih zakonskih procedura, uoče njihovi nedostaci, kao i da se podstaknu nadležni da kroz zakonodavne i institucionalne aktivnosti ove procedure pojednostave i unaprede. Nadamo se da će ovi vodiči pokrenuti konstruktivni dijalog mnogobrojnih zainteresovanih strana i time doprineti boljoj informisanosti i međusobnom razumevanju, što, u krajnjoj liniji, treba da rezultira povoljnim okruženjem za investicije u sektoru obnovljivih izvora energije.

Male hidroelektrane

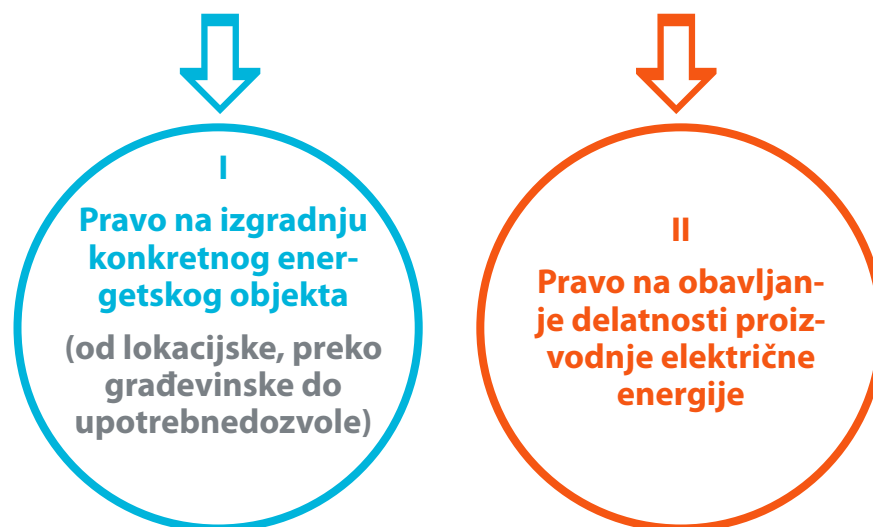
- Energetski objekti za obavljanje energetske delatnosti proizvodnje električne energije iz hidropotencijala snage ≤ 30 MW
- Mogu steći status povlašćenog proizvođača električne energije
- Mogu steći pravo na feed-in tarife
- Do 2011. godine, ova prava su mogle steći samo male hidroelektrane snage do 10 MW \Rightarrow sada je ta mogućnost utvrđena za elektrane snage ≤ 30 MW (u daljem tekstu „male hidroelektrane“)

Napomena

Potrebno je ukazati da se ovaj Vodič odnosi na male hidroelektrane u opštem smislu i da su u njemu opisane procedure pred nadležnim organima i institucijama, ali da pojedini elementi ovih procedura, kao i sprovođenje pojedinih procedura zavisi od veličine objekta, mesta na kome se gradi objekat, konkretne tehnologije za proizvodnju energije i drugih karakteristika samog objekta

Male hidroelektrane

Investitor treba da stekne sledeća prava:



Klasifikacija elektrana

- **Zakon o energetici**
 - elektrane koje koriste obnovljive izvore energije
- **Pravilnik o kriterijumima za izdavanje energetske dozvole, sadržini zahteva i načinu izdavanja energetske dozvole**
 - objekti za proizvodnju električne energije nazivne snage od 1 do 10 MW
 - objekti za proizvodnju električne energije nazivne snage preko 10 MW

Klasifikacija elektrana

- **Zakon o planiranju i izgradnji**
 - elektrane za proizvodnju energije iz obnovljivih izvora – nadležnost ministarstva za poslove građevinarstva, odnosno autonomne pokrajine,
- **Uredba o uslovima i postupku sticanja statusa povlašćenog proizvođača električne energije**
 - elektrane koje u procesu proizvodnje koriste energiju hidropotencijala – nove
 - elektrane koje u procesu proizvodnje koriste energiju hidropotencijala – na postojećoj infrastrukturi
- **Uredba o utvrđivanju Liste projekata za koje je obavezna procena uticaja i Liste projekata za koje se može zahtevati procena uticaja na životnu sredinu razlikuje sledeća postrojenja**
 - Hidroelektrane sa snagom od 2 do 50 MW – postrojenja za koja se može zahtevati izrada Studije o proceni uticaja
 - i za hidroelektrane snage do 2 MW se može tražiti procena uticaja, ako se radi o elektranama koje će se graditi u zaštićenom prirodnom dobru i zaštićenj okolini nepokretnog kulturnog dobra i u drugim područjima posebne namene

Relevantni propisi

- Zakon o energetici ("Sl. glasnik RS" br. 57/11, 80/11, 93/12 i 124/12)
- Odluka o utvrđivanju Strategije razvoja energetike Republike Srbije do 2015. godine («Sl. glasnik RS» br. 44/05)
- Uredba o utvrđivanju Programa ostvarivanja Strategije razvoja energetike Republike Srbije do 2015. godine za period od 2007. do 2012. godine («Sl. glasnik RS» br. 17/07, 73/07, 99/09 i 27/10)
- Zakon o planiranju i izgradnji ("Sl. glasnik RS" br. 72/09, 81/09, 24/11 i 121/12)
- Zakon o prostornom planu Republike Srbije od 2010. do 2020. godine ("Sl. glasnik RS" br. 88/10)
- Zakon o zaštiti životne sredine ("Sl. glasnik RS" br. 135/04 i 36/09)
- Zakon o vodama ("Sl. glasnik RS" br. 30/10 i 93/12)
- Zakon o proceni uticaja na životnu sredinu («Sl. glasnik RS» br. 135/04 i 36/09).
- i ostali zakoni i podzakonska akta...

Nadležne institucije

- Ministarstvo energetike, razvoja i zaštite životne sredine – MERŽS
 - Jedinica lokalne samouprave - JLS
 - Agencija za energetiku - AE
 - Republički geodetski zavod - RGZ
 - Ministarstvo poljoprivrede, šumarstva i vodoprivrede – MPŠV
 - Ministarstvo prirodnih resursa, rudarstva i prostornog planiranja - MPRRPP
 - Republički hidrometeorološki zavod - RHMZ
 - Elektromreža Srbije - EMS
 - Elektroprivreda Srbije - EPS
 - i ostale nadležne institucije u konkretnom slučaju
-

Osnovni koraci od ideje do korišćenja elektrane

- I Sticanje
 - prava na izgradnju elektrane
- II Sticanje
 - prava na obavljanje delatnosti proizvodnje električne energije

Osnovni koraci od ideje do korišćenja elektrane



Sticanje prava na izgradnju elektrane

I-1 Pribavljanje informacije o lokaciji

I-2 Pribavljanje energetske dozvole

Izrada Prethodne studije opravdanosti sa generalnim projektom

Rešavanje Imovinsko-pravnih odnosa / Parcelacija i preparcelacija

Prikupljanje uslova za projektovanje

I-3 Pribavljanje lokacijske dozvole*

Izrada Studije opravdanosti sa idejnim projektom / Glavni projekat

Izrada studije o proceni uticaja na životnu sredinu

I-4 Pribavljanje građevinske dozvole

Izgradnja objekta

I-5 Pribavljanje vodne dozvole i upotrebne dozvole

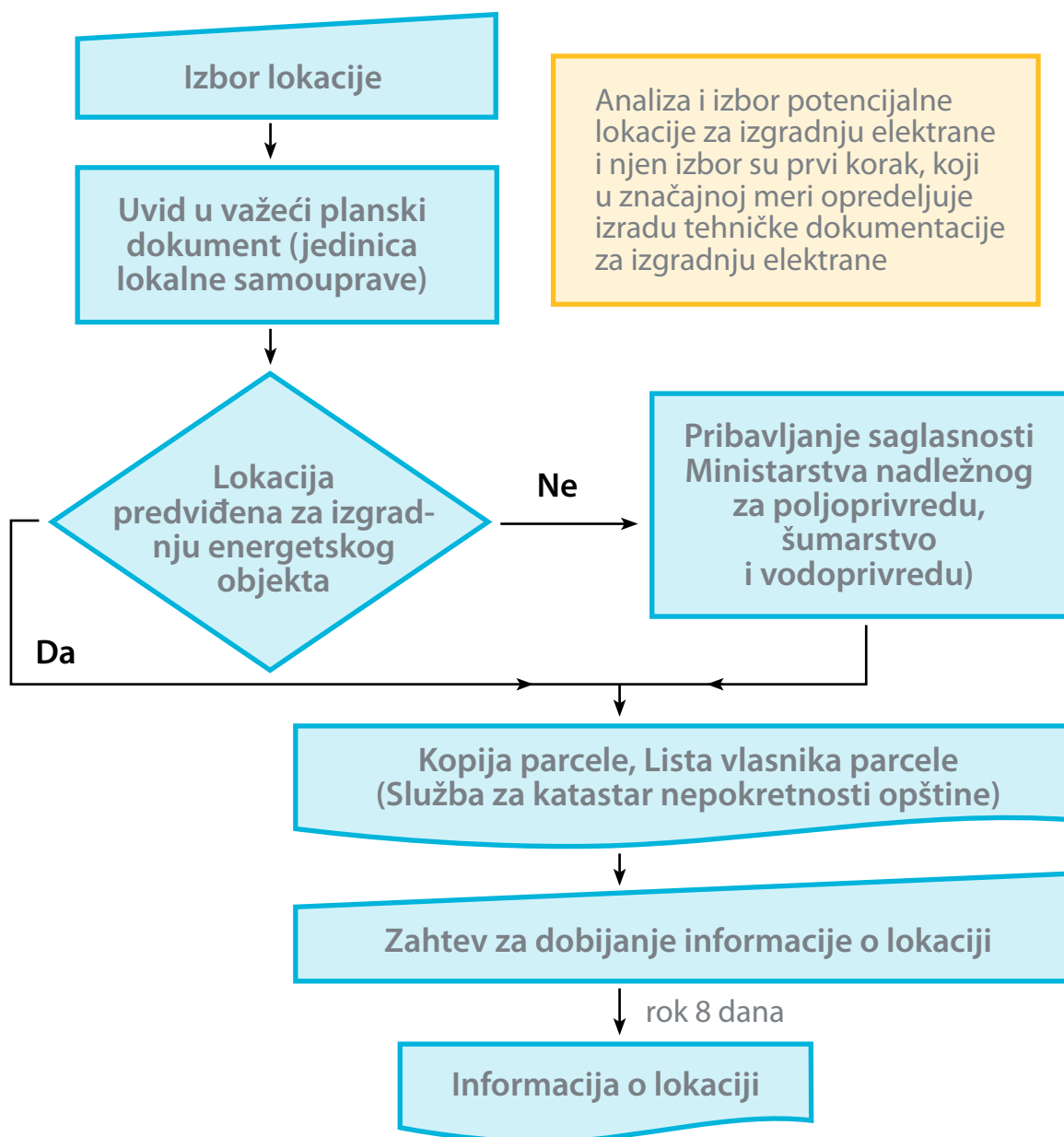
**može se sprovesti pre ili posle pribavljanja energetske dozvole*

I-1

Pribavljanje informacije o lokaciji

Napomena

I-1 Izbor lokacije, uvid u važeće planske dokumente i informacija o lokaciji



I-2

Energetska dozvola

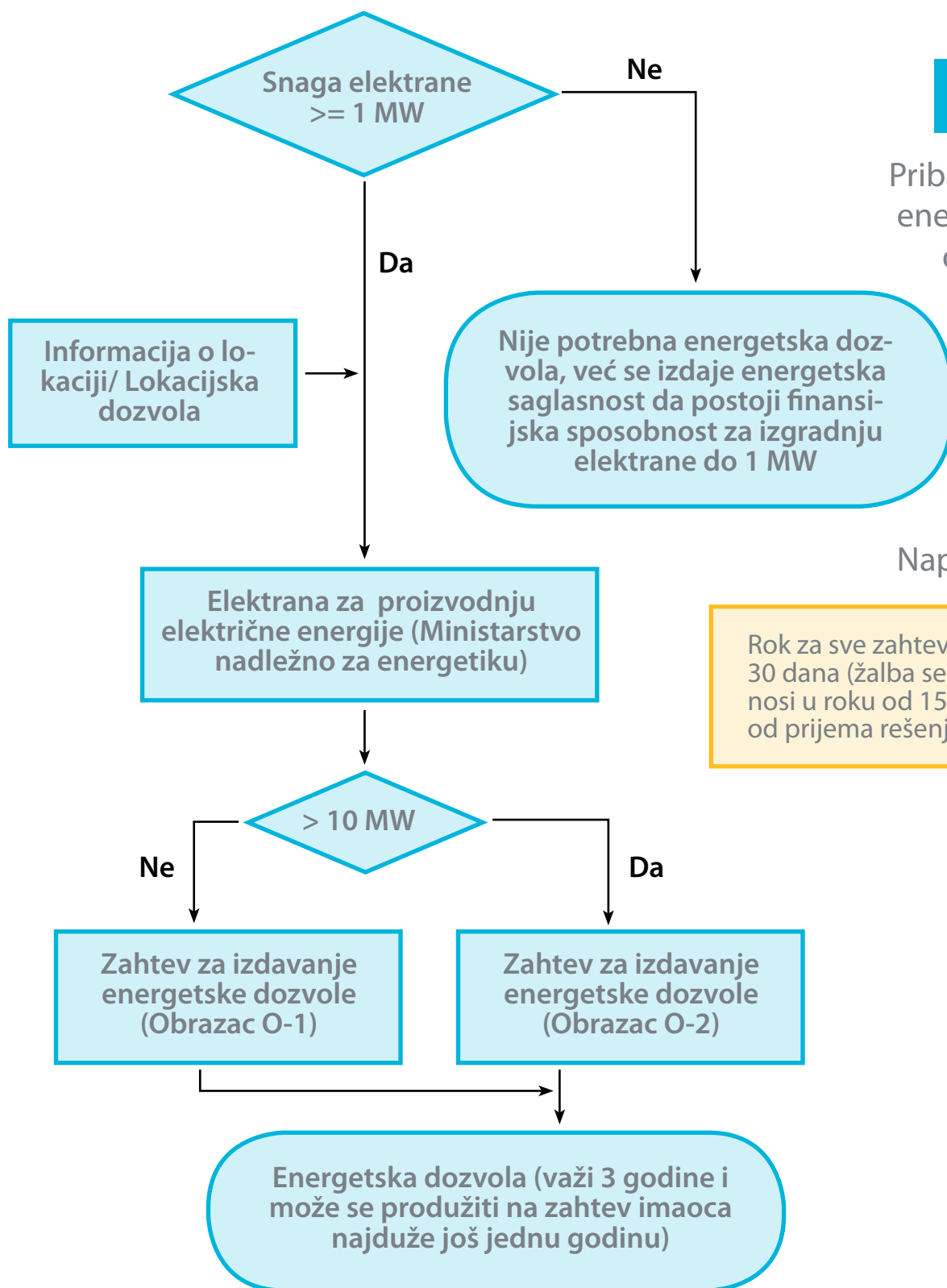


Napomena

- Energetska dozvola je akt neophodan za pribavljanje građevinske dozvole propisan Zakonom o energetičizma
- Za elektrane snage do 1 MW pribavlja se energetska saglasnost

I-2

Pribavljanje energetske dozvole

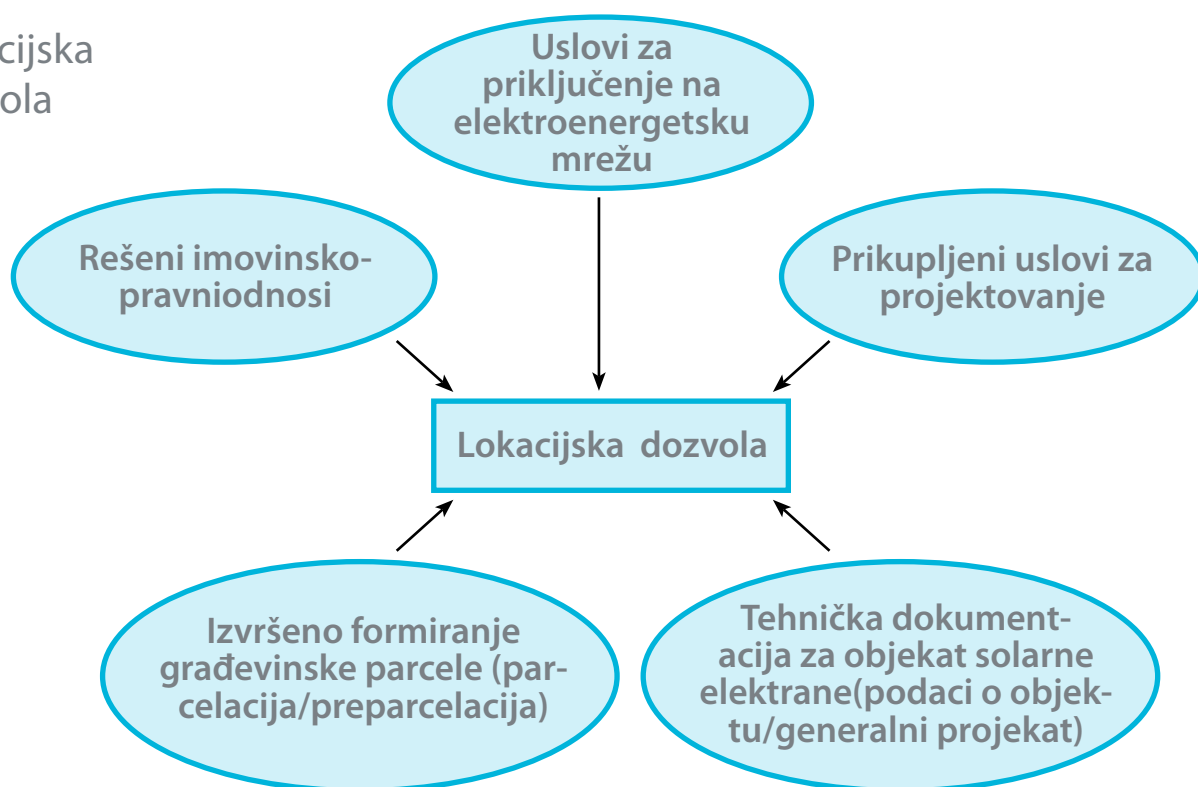


Napomena

Rok za sve zahteve je 30 dana (žalba se podnosi u roku od 15 dana od prijema rešenja)

I-3

Lokacijska dozvola

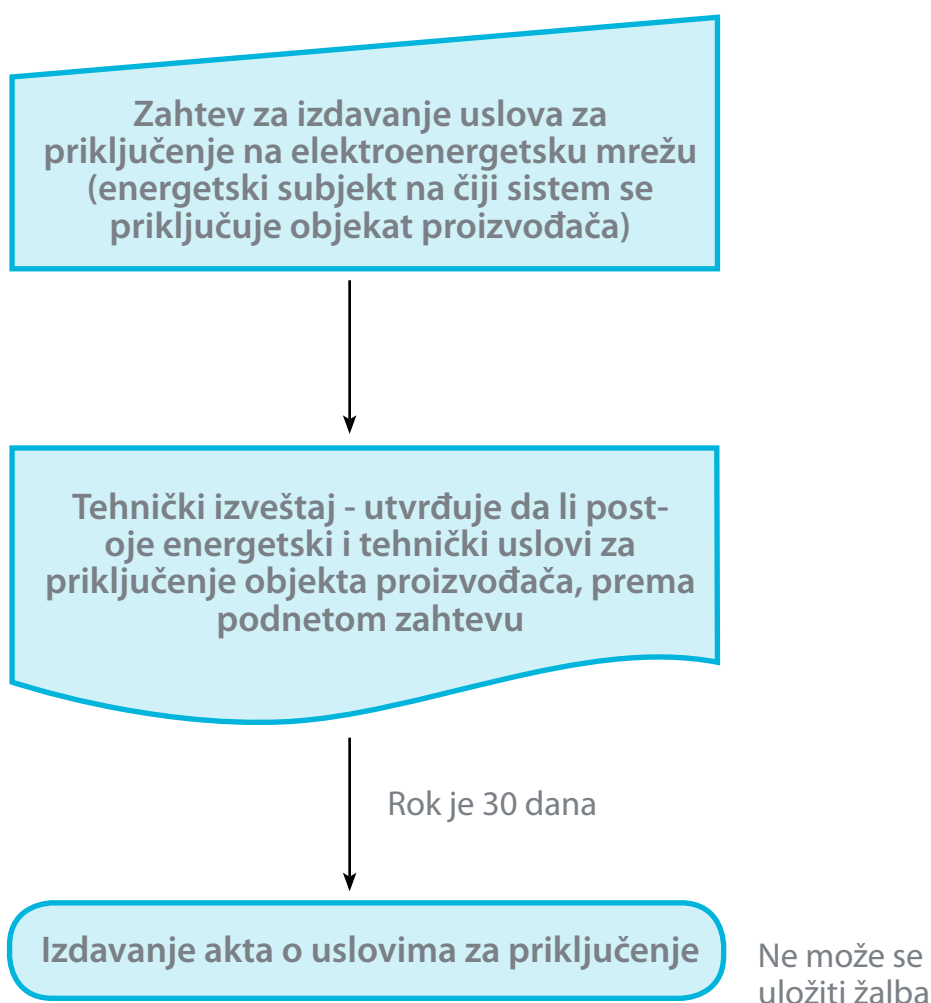


Napomena

Lokacijska dozvola sadrži sve uslove i podatke potrebne za izradu tehničke dokumentacije, glavnog projekta, a u skladu sa važećim planskim dokumentom

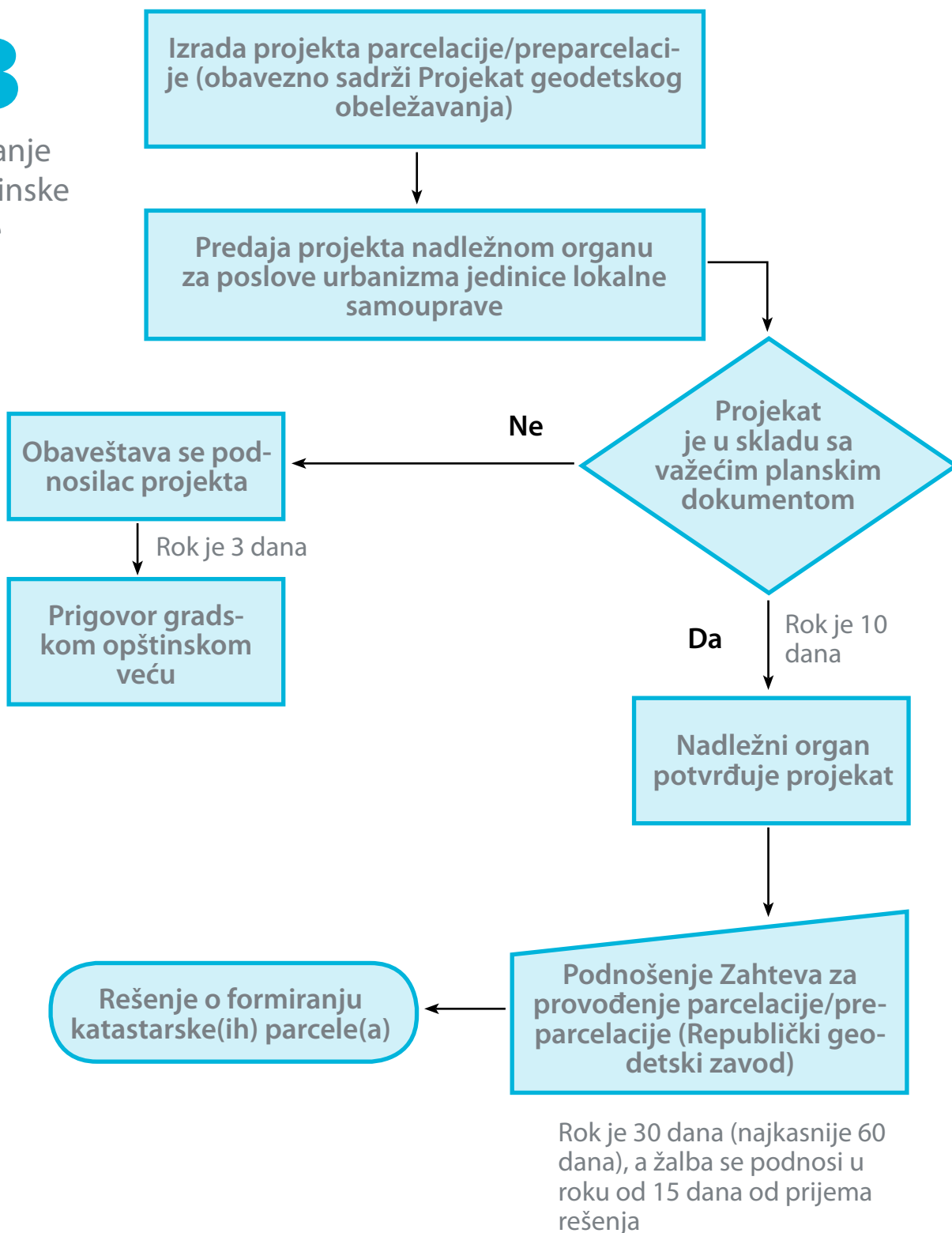
I-3

Uslovi za priključenje



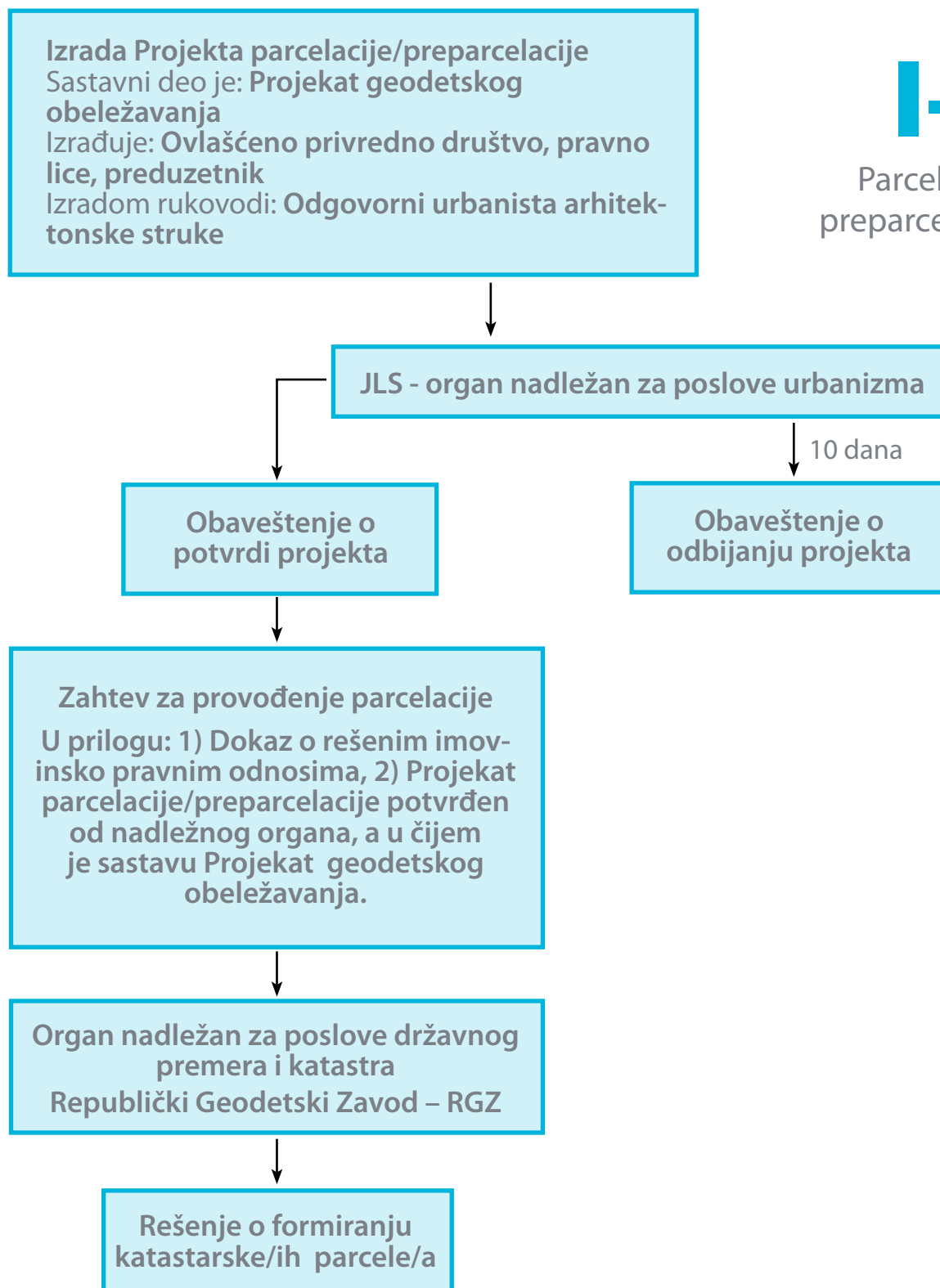
I-3

Formiranje građevinske parcele



I-3

Parcelacija/ preparcelacija



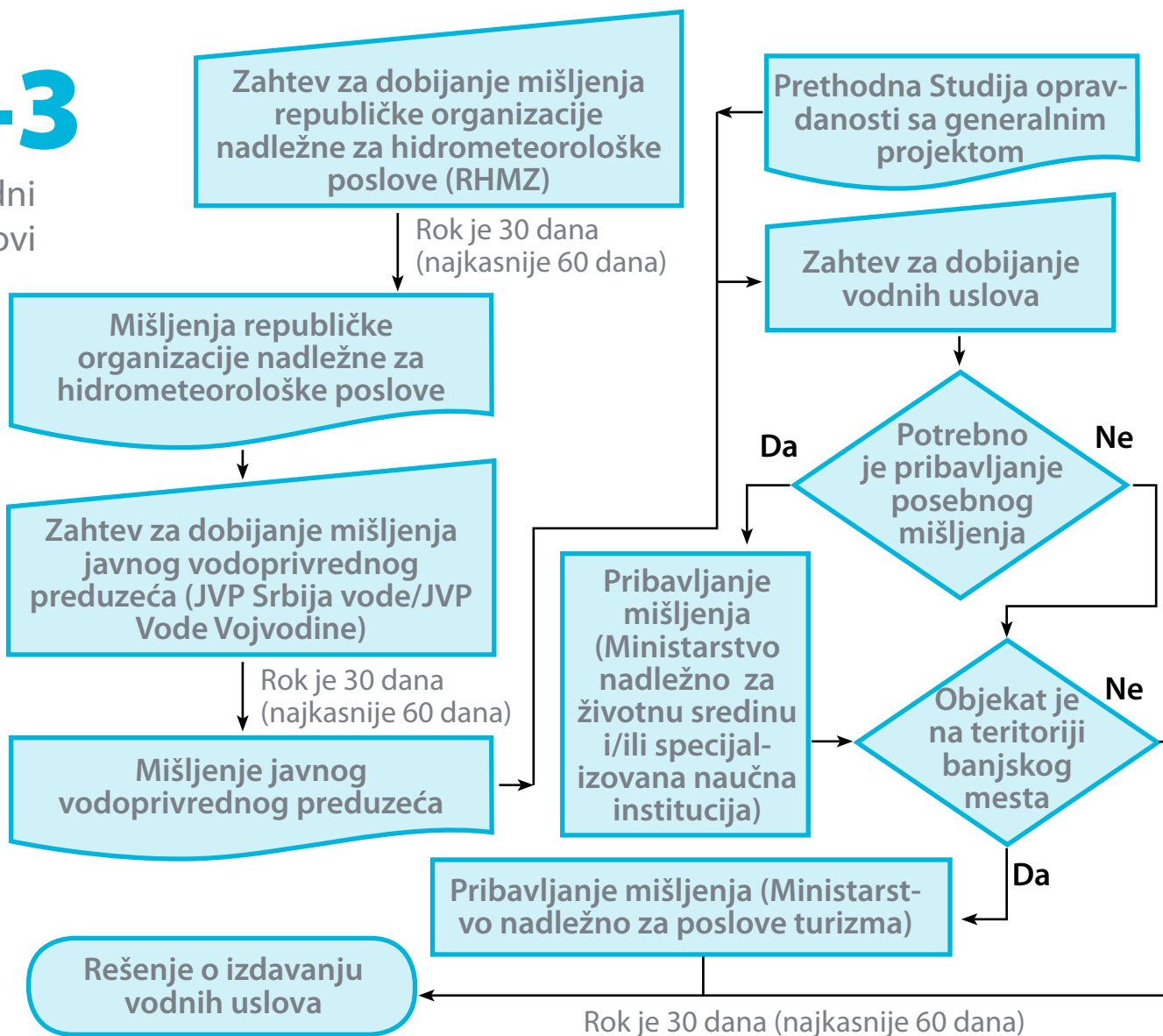
I-3

Vodna akta

- **Vodna akta**
 - vodni uslovi (I-3)
 - vodna saglasnost (I-4)
 - vodna dozvola (I-5)
 - vodni nalog
- **Nadležnost**
 - Ministarstvo nadležno za vodoprivredu
 - nadležni organ autonomne pokrajine (za objekte na teritoriji autonomne pokrajine)
 - nadležni organ grada Beograda (za objekte na teritoriji grada)

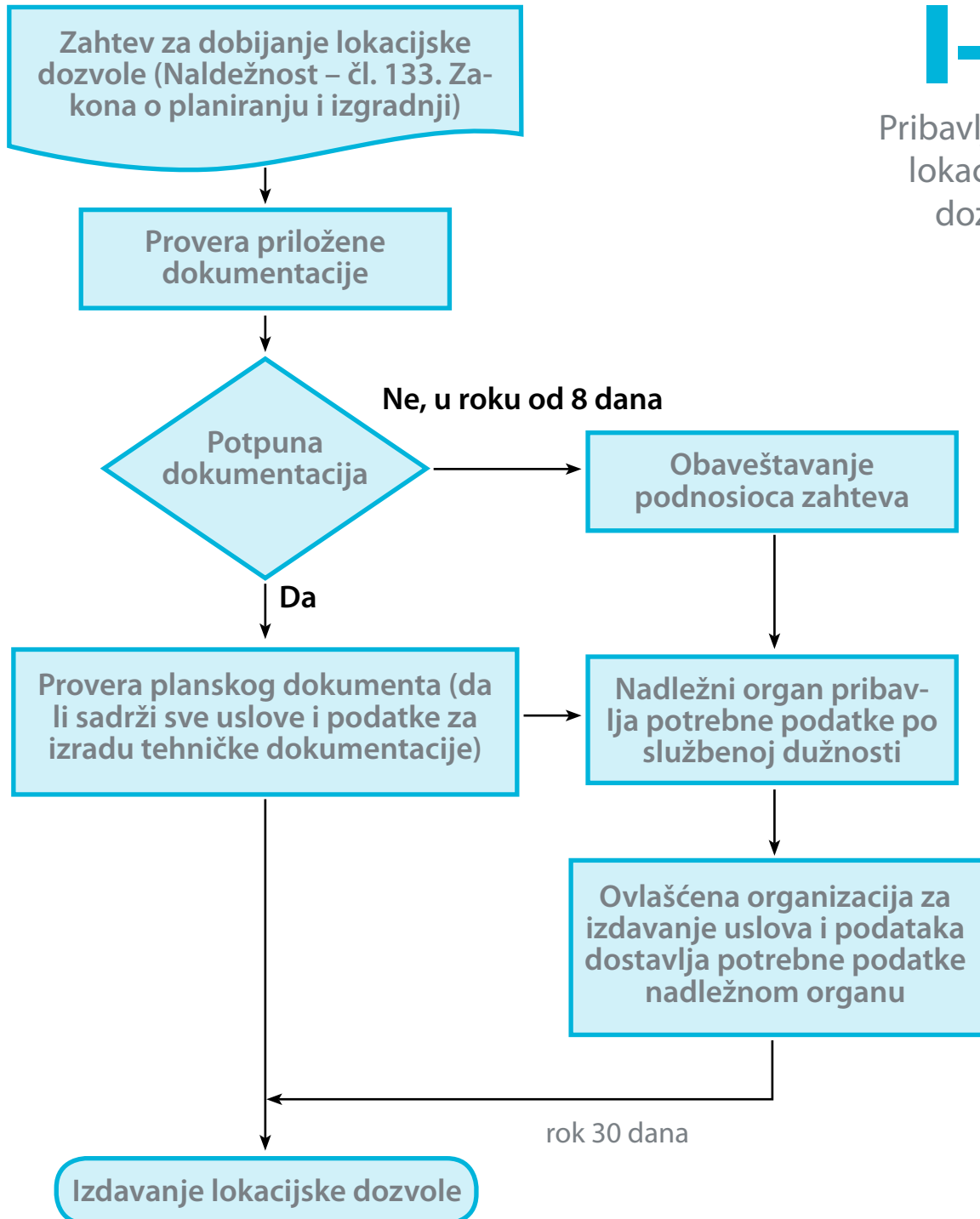
I-3

Vodni uslovi



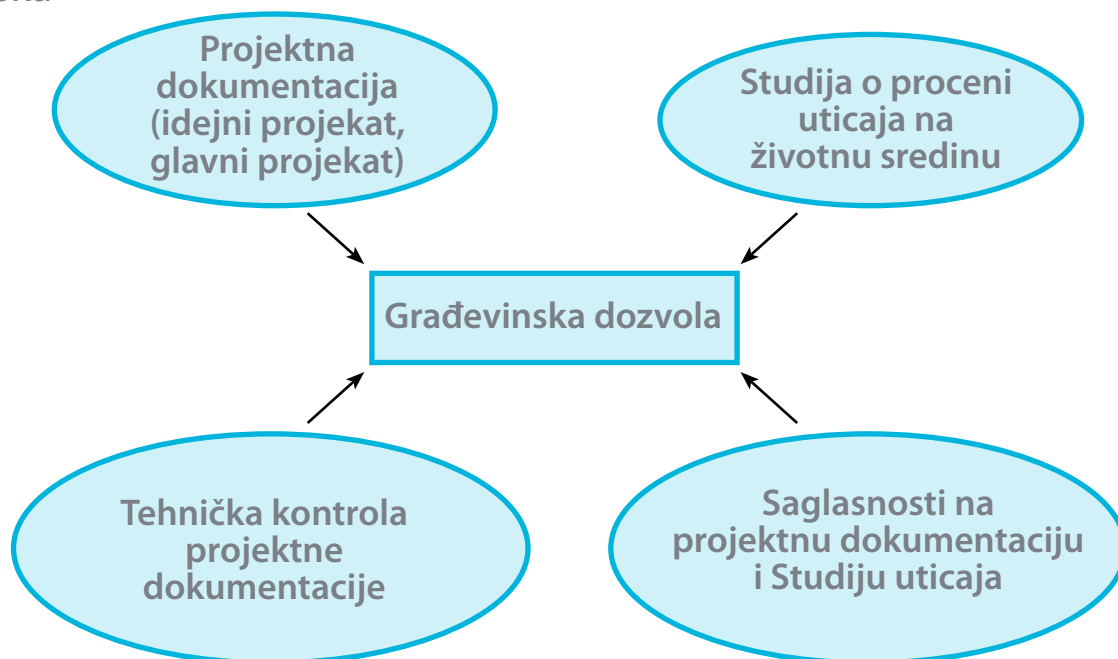
I-3

Pribavljanje lokacijske dozvole



I-4

Građevinska dozvola



Napomena

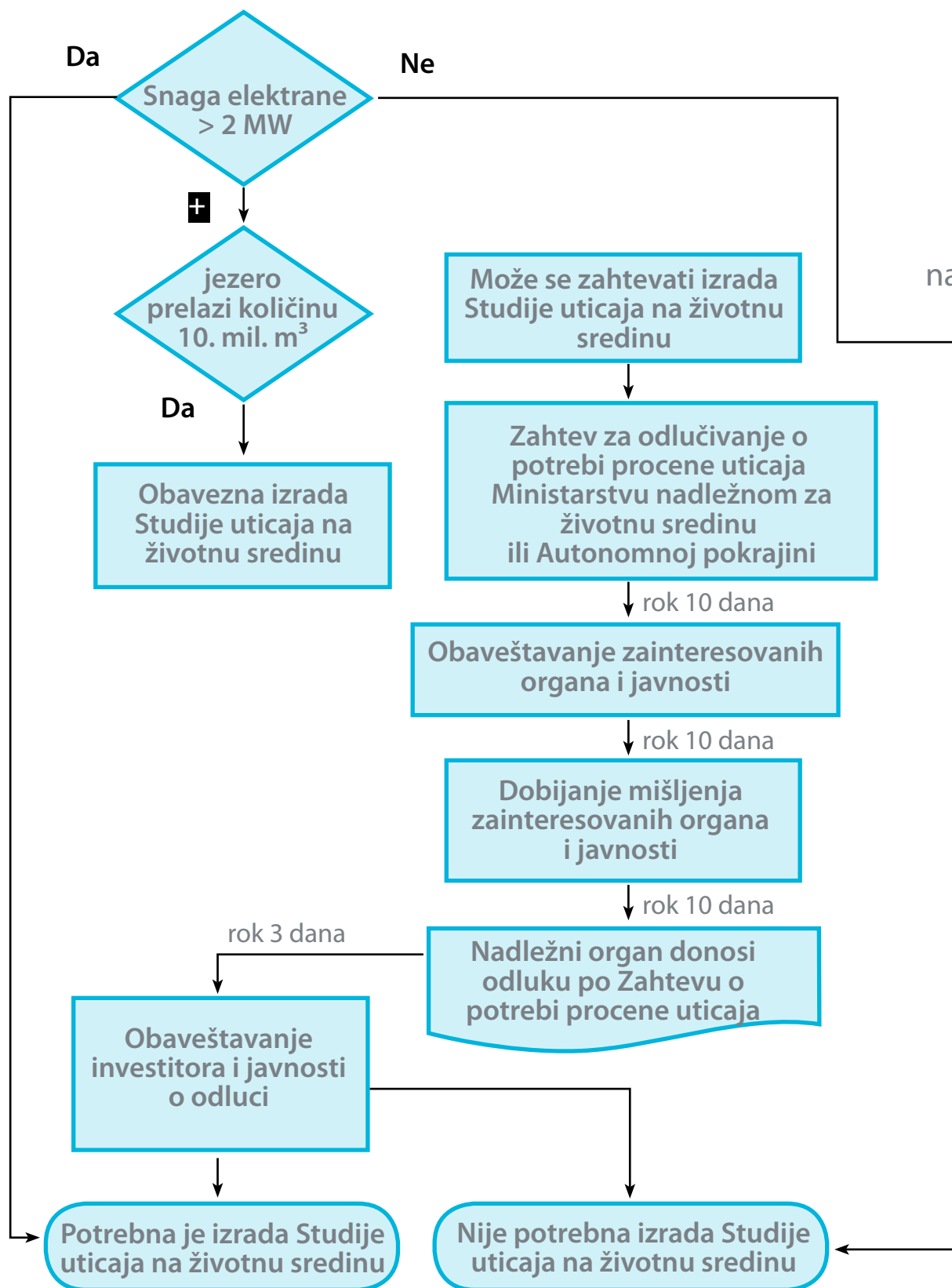
Po izvršenoj tehničkoj kontroli glavnog projekta i pozitivnom izveštaju o izvršenoj tehničkoj kontroli, podnosi se Zahtev za izdavanje Građevinske dozvole nadležnom organu iz člana 133. Zakona o planiranju i izgradnji:

- Ministarstvo nadležno za poslove građevinarstva
- Ukoliko se elektrana nalazi na teritoriji autonomne pokrajine – sekretarijatu autonomne pokrajine nadležnom za poslove građevinarstva

Osnovni koraci od ideje do korišćenja elektrane
Sticanje prava na izgradnju elektrane

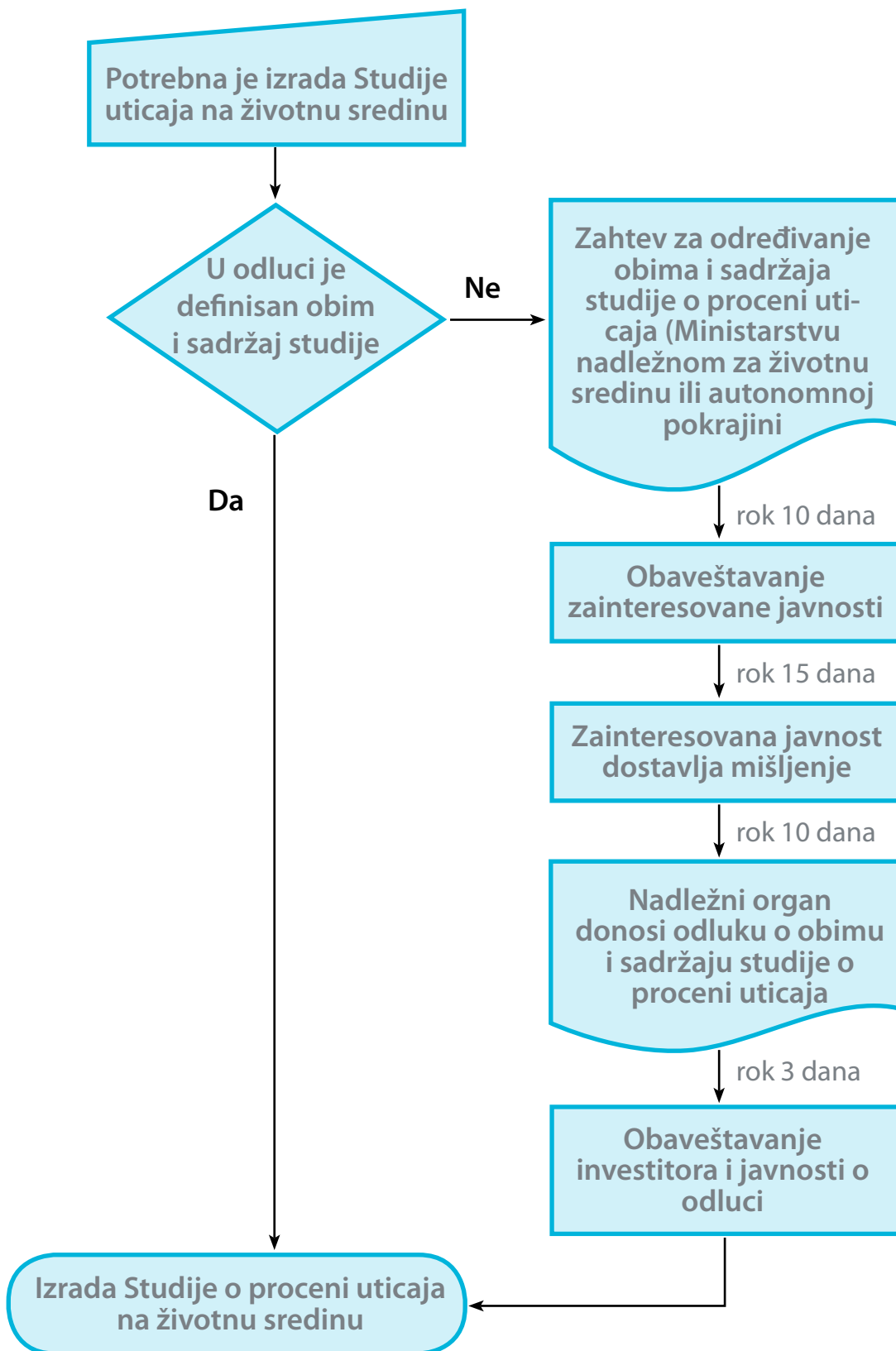
I-4

Procena
uticaja
na životnu
sredinu
(1)



I-4

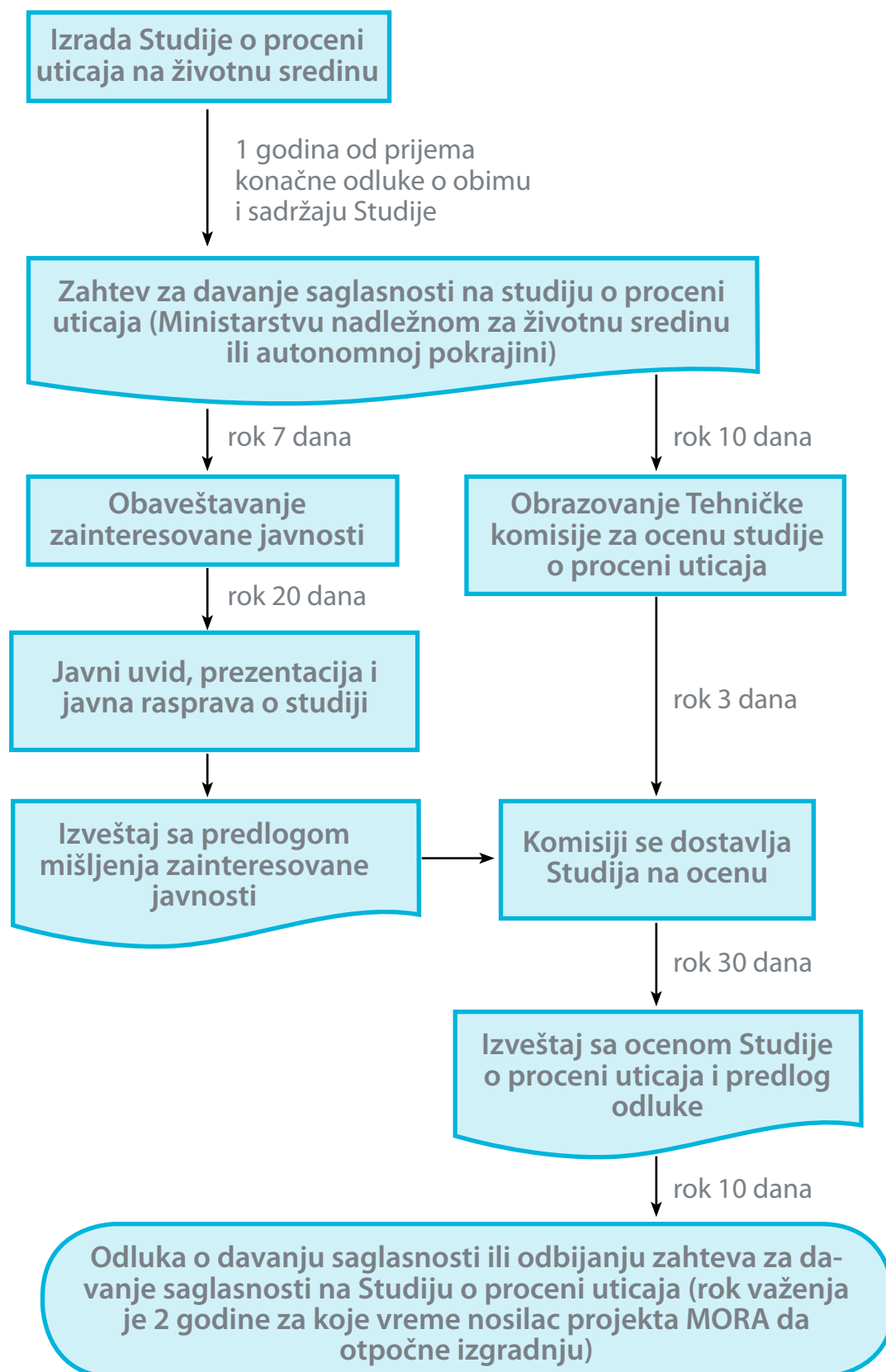
Procena
uticaja
na životnu
sredinu
(2)



Osnovni koraci od ideje do korišćenja elektrane
Sticanje prava na izgradnju elektrane

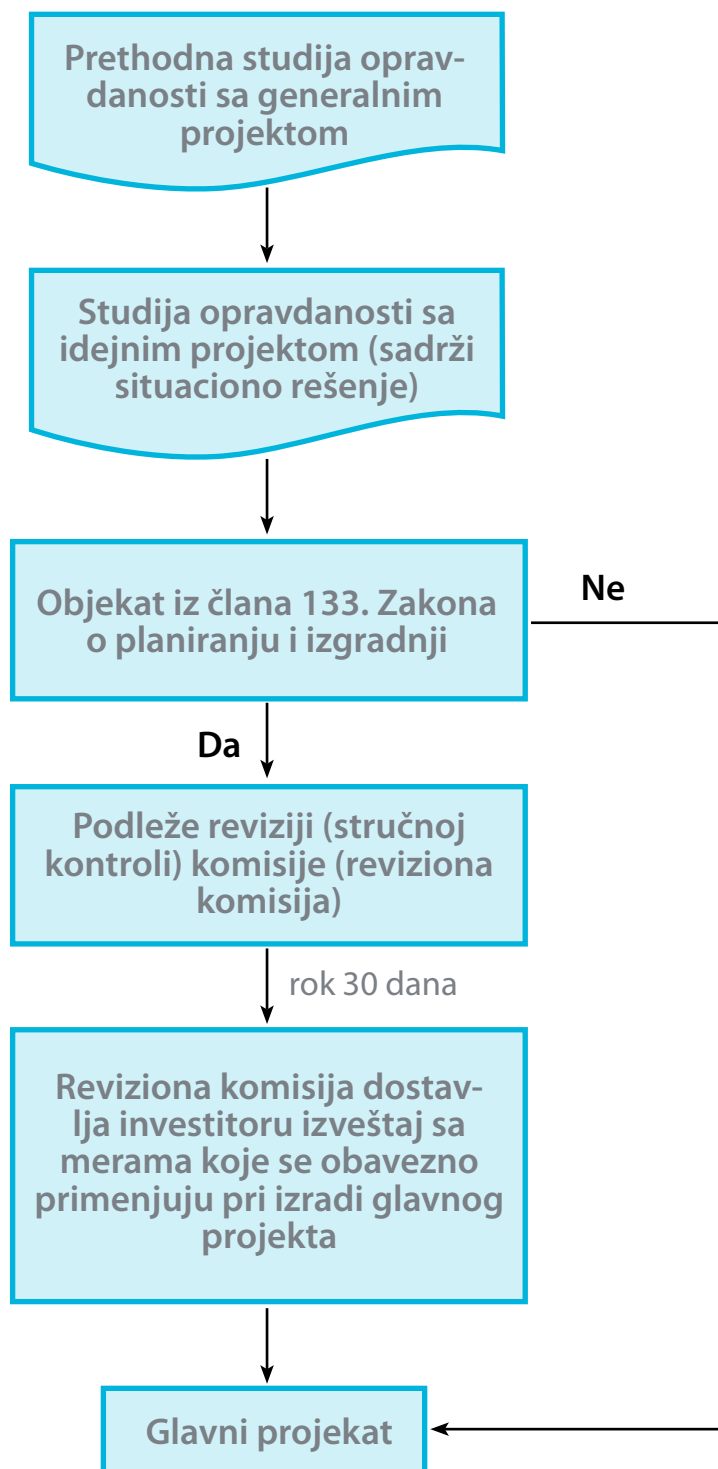
I-4

Procena uticaja na životnu sredinu (3)



I-4

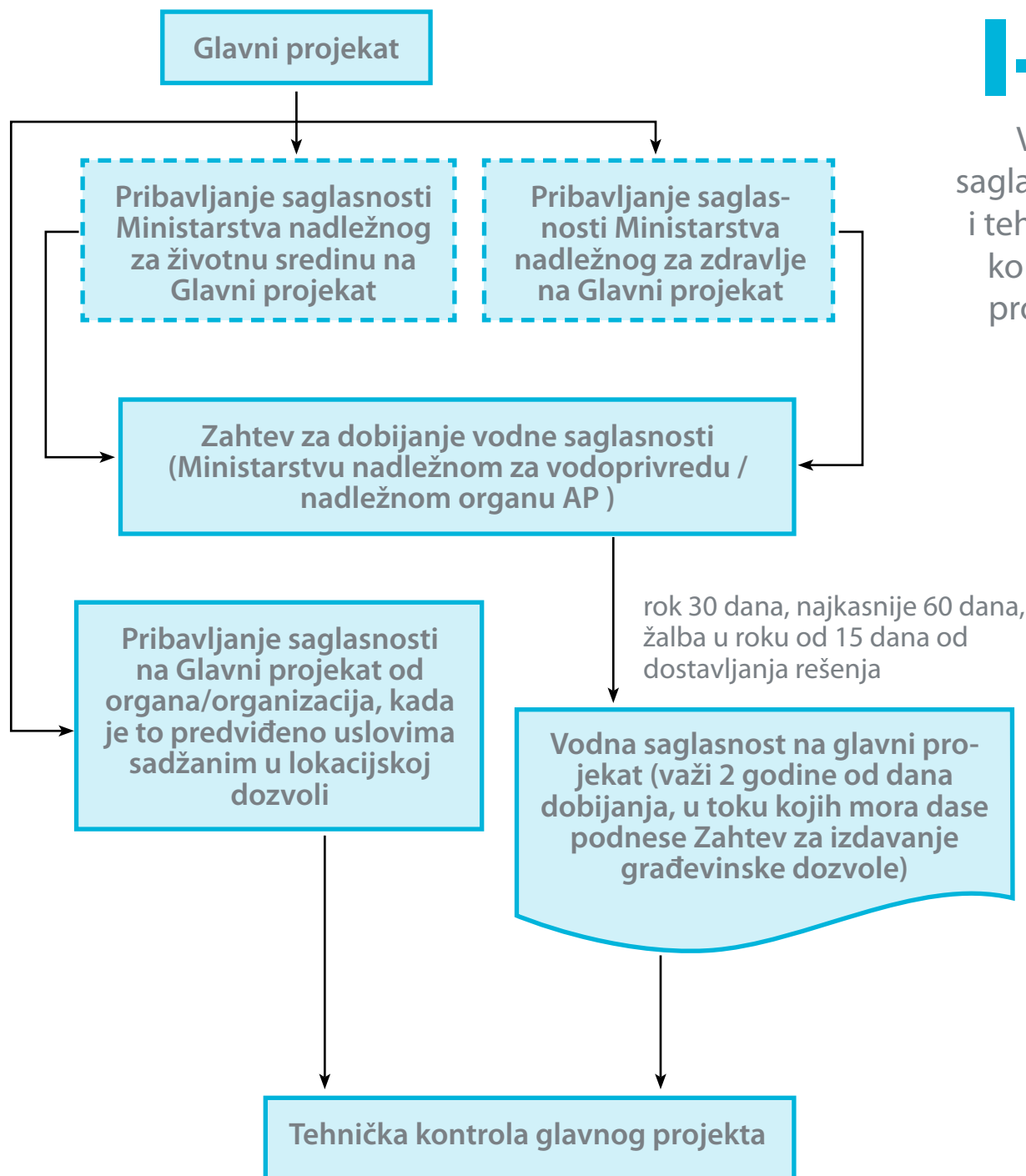
Tehnička dokumentacija



Osnovni koraci od ideje do korišćenja elektrane
Sticanje prava na izgradnju elektrane

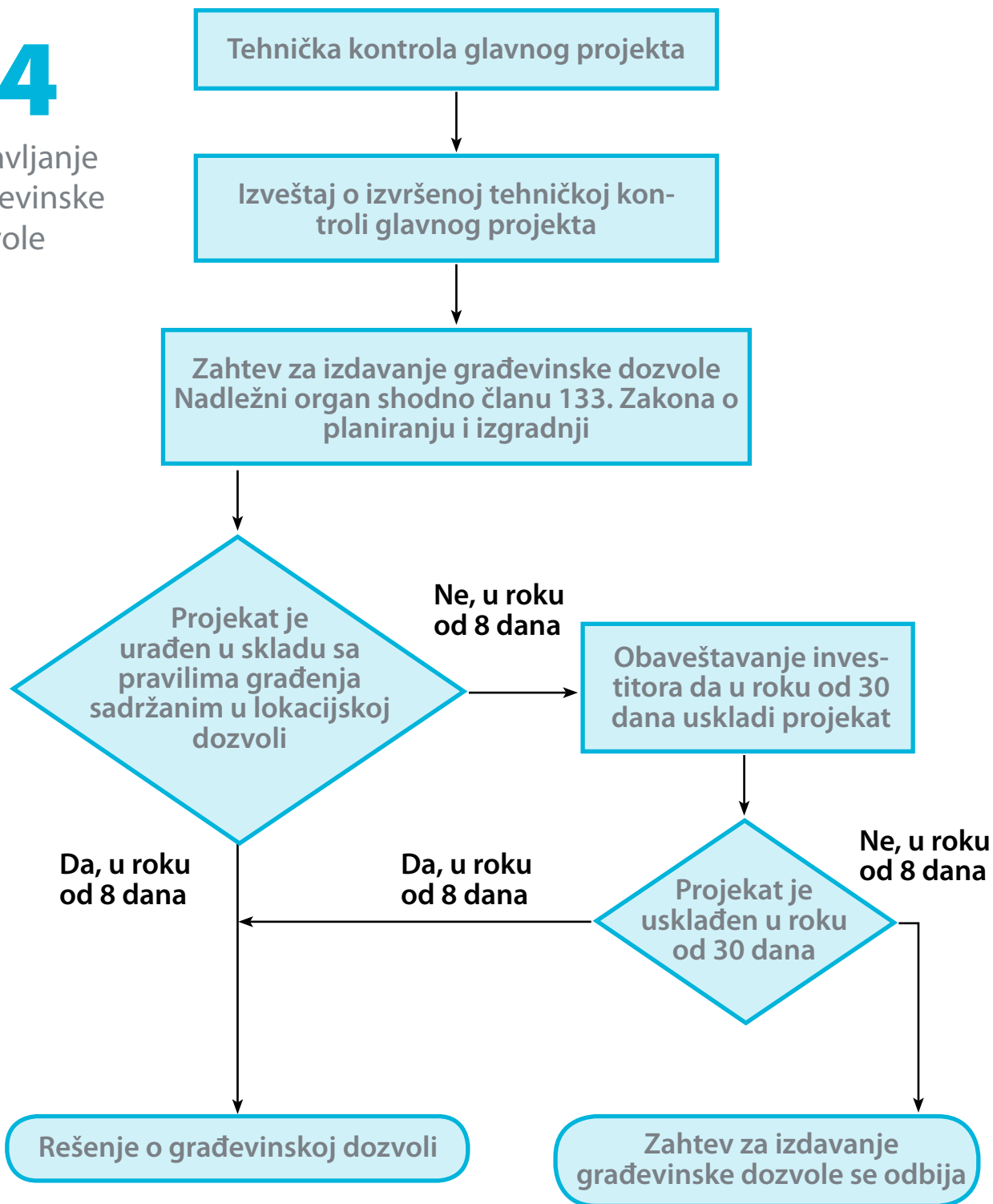
I-4

Vodna saglasnost i tehnička kontrola projekta



I-4

Pribavljanje
građevinske
dozvole



I-5

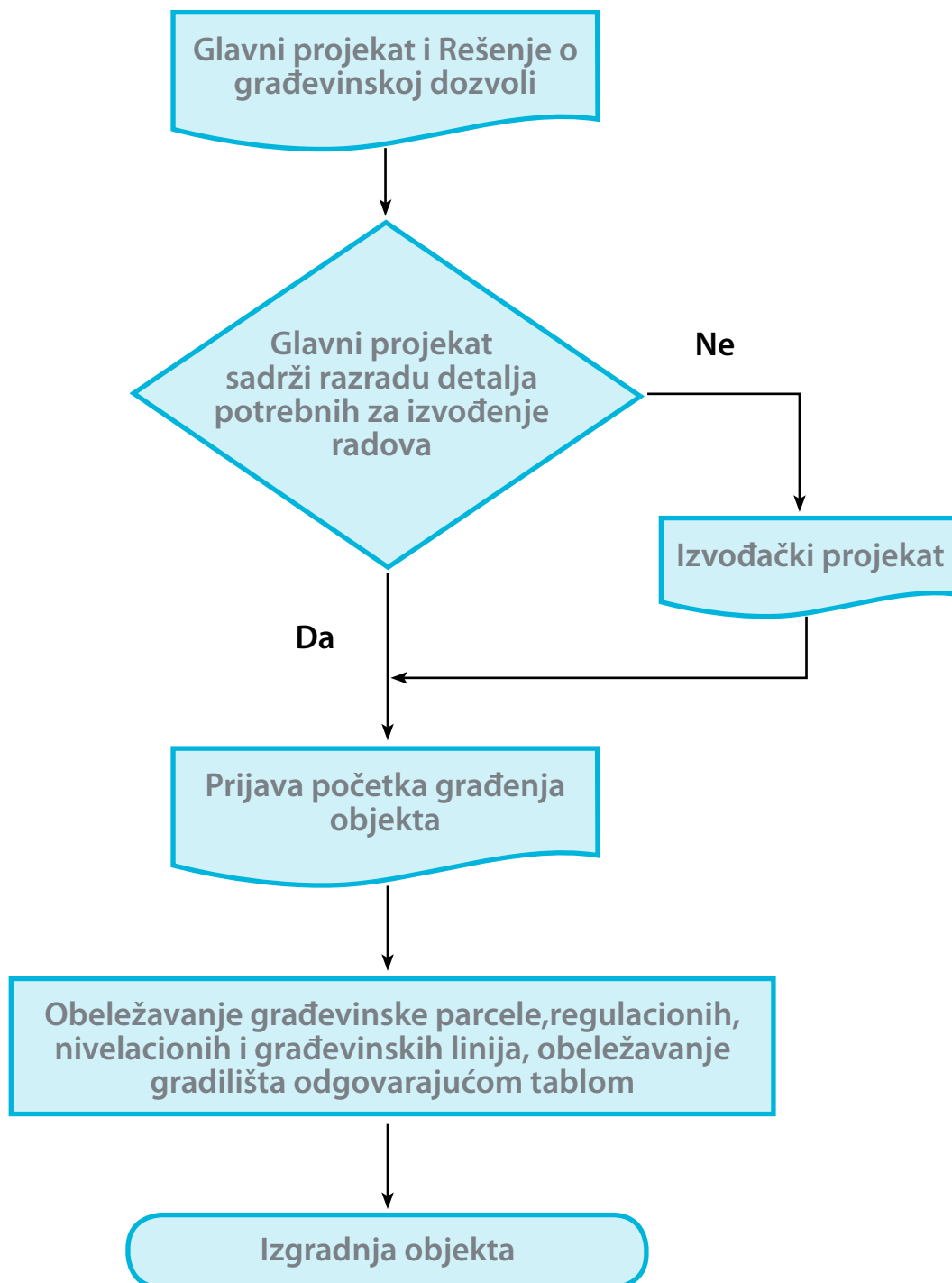
Upotrebna dozvola



Napomena

- Podobnost objekta za upotrebu utvrđuje se tehničkim pregledom
- Objekat se može koristiti po prethodno pribavljenoj upotrebnoj dozvoli
- U procesu dobijanja Upotrebne dozvole potrebno je priložiti Projekt izvedenog stanja

I-5

Izgradnja
objekta

- Građenje objekata, odnosno izvođenje radova, može da vrši privredni subjekat upisan u odgovarajući registar za građenje objekata, odnosno za izvođenje radova (izvođač radova)
- Obaveze izvođača radova su da: pre početka radova potpiše glavni projekat, rešenjem odredi odgovornog izvođača radova, odgovornom izvođaču radova obezbedi ugovor o građenju i dokumentaciju na osnovu koje se gradi objekat, obezbedi preventivne mere za bezbedan i zdrav rad u skladu sa zakonom, da izvodi radove prema dokumentaciji na osnovu koje je izdata građevinska dozvola, organizuje gradilište na način kojim će obezbediti pristup lokaciji, obezbeđuje sigurnost objekta i lica na gradilištu i okoline, obezbeđuje dokaz o kvalitetu izvršenih radova, vodi građevinski dnevnik, građevinsku knjigu i obezbeđuje knjigu inspekcije, obezbeđuje objekte i okolinu u slučaju prekida radova
- Na gradilištu je potrebno da se stalno nalazi ugovor o građenju, rešenje o određivanju odgovornog izvođača radova na gradilištu i glavni projekat, tj dokumentacija na osnovu koje se projekat gradi
- Investitor obezbeđuje stručni nadzor u toku građenja objekta, odnosno izvođenja radova za koje je izdata građevinska dozvola

I-5

Izgradnja objekta

Zahtev za dobijanje vodne dozvole

U prilogu: 1) Rešenje o izdavanju vodne saglasnosti, 2) Zapisnik Komisije za tehnički pregled izgrađenog objekta, 3) Zaključeni ugovori sa javnim vodnim preduzećem, 4) Dokumenti koji se zahtevaju u Rešenju o izdavanju vodoprivredne saglasnosti
Ukoliko je potrebno, Investitor će biti naknadno obavešten da dopuni dokumentaciju

Podnosi se Ministarstvu nadležnom za vodoprivredu

Rešenje o izdavanju vodne dozvole

Izdaje se na period od najduže 15 godina
Pre isteka, treba produžiti važnost.

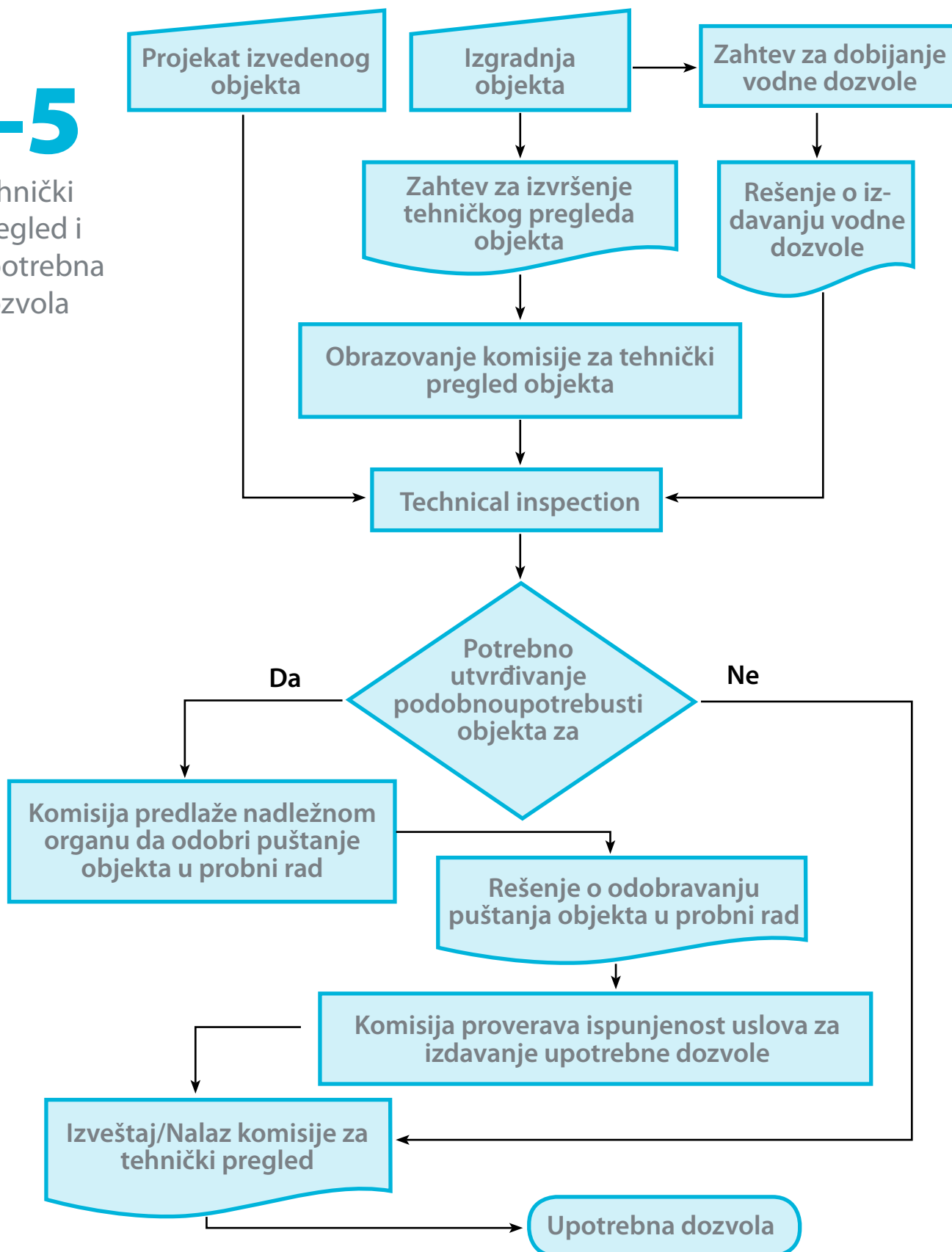
I-5

Pribavljanje vodne dozvole*

*Pribavljanje vodne dozvole obavlja se po izvršenom tehničkom pregledu objekta. Upotrebna dozvola se ne može izdati bez prethodno dobijene vodne dozvole

I-5

Tehnički pregled i upotrebna dozvola



Osnovni koraci od ideje do korišćenja elektrane



Sticanje prava na obavljanje delatnosti proizvodnje električne energije

- II-1 Koncesija za korišćenje prirodnog bogarstva*
- II-2 Licenca
- II-3 Odobrenje za priključenje
- II-4 Status povlašćenog proizvođača
- II-5 Ugovor o otkupu električne energije

Proizvodnja električne energije



tržišna delatnost

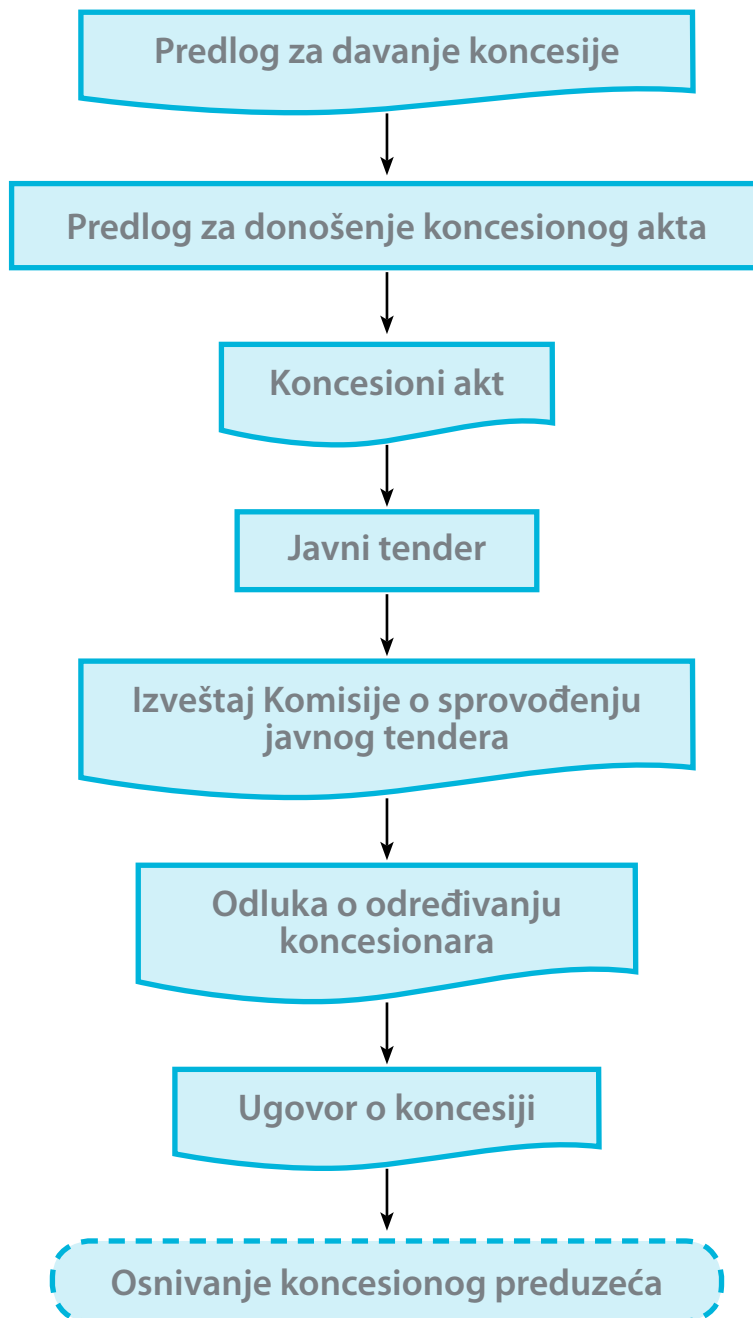
**mogućnost shodno zakonu koji uređuje koncesije*

II-1

Koncesija

Napomena

Izdaje se na period od 5-50 godina - za korišćenje prirodnog bogatstva, a nije neophodna za sticanje prava na obavljanje delatnosti



Osnovni koraci od ideje do korišćenja elektrane
Sticanje prava na obavljanje delatnosti proizvodnje električne energije



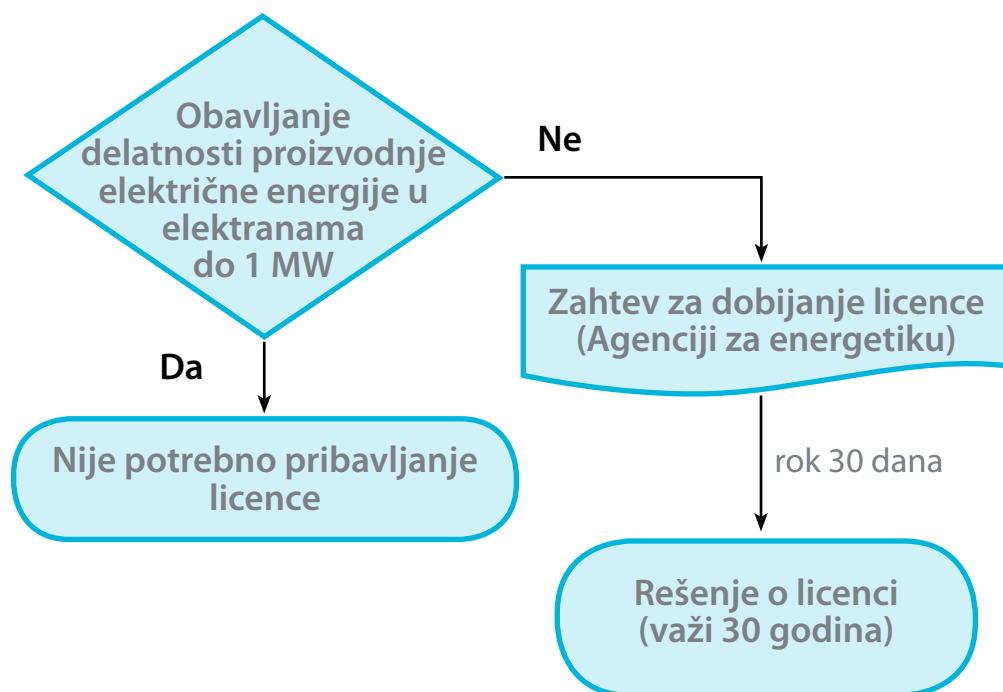
- Ugovorne strane, predmet koncesije, uključujući opis objekata, uređaja, postrojenja
- Rok trajanja koncesije i uslovima pod kojim se taj rok može produžiti, dužini trajanja pripremnih radnji
- Raspodela rizika između privatnog i javnog partnera i Obim isključivih prava priatnog partnera
- visini i načinu obezbeđenja garancija za izvršavanje koncesione obaveze.
- Uslovi obavljanja koncesione delatnosti i standardi proizvoda i usluga, transferu tehnologije
- Koncesionaj naknada (visina, rokovi, uslovi i način plaćanja)
- Prava i obaveze u pogledu preduzimanja mera obezbeđivanja opšte sigurnosti, zaštite zdravlja i zaštite životne sredine kao i odgovornosti za naknadu štete prouzrokovane ugrožavanjem opšte sigurnosti i zaštite životne sredine
- Prava na prenos koncesije
- Vreme i način predaje nepokretnosti, objekta, uređaja ili postrojenja i stanju u kome se oni moraju predati
- Uslovi izmena ili raskida ugovora i njihovim posledicama, promenjenim okolnostima i višoj sili.
- Način rešavanja sporova i primena merodavnog prava
- Druge odredbe o kojima se sporazumno dogovore ugovorne strane. Ugovorom se određuje i način međusobnog obaveštavanja o izvršenju ugovora, načinu vršenja kontrole izvršenja ugovora i ostvarivanja prava i obaveza ugovornih strana

II-1

Koncesija – sadržaj ugovora o koncesiji

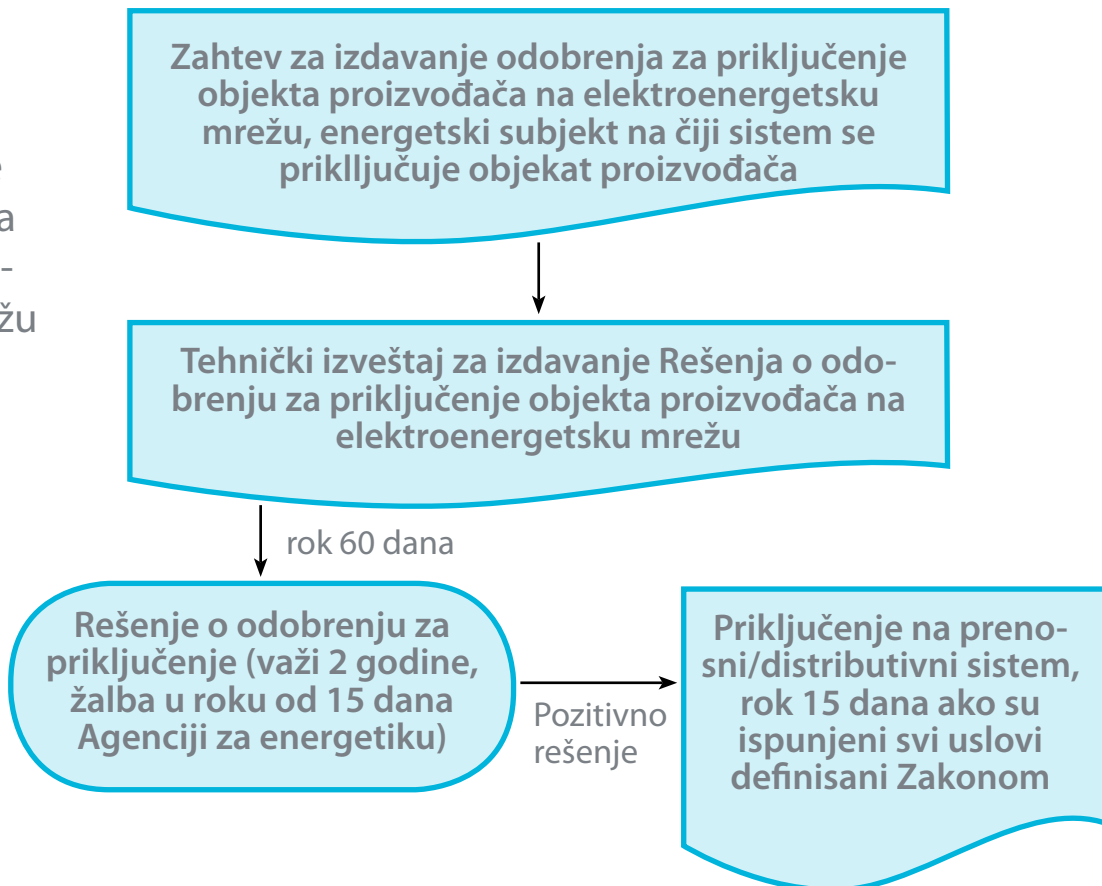
II-2

Licenca -
za obavljanje
energetskih
delatnosti



II-3

Priključenje
elektrane na
elektroener-
getsku mrežu



Osnovni koraci od ideje do korišćenja elektrane
Sticanje prava na obavljanje delatnosti proizvodnje električne energije



II-4

Status povlašćenog proizvođača

- Pravo prvenstva pri preuzimanju ukupno porizvedene električne energije u prenosni ili distributivni sistem, osim u slučaju kada je ugrožena sigurnost rada tih sistema
- Pravo na subvencije (poreske, carinske i druge olakšice)
- Mere podsticaja: 1) podsticajni period; 2) preuzimanje balansne odgovornosti; 3) besplatno očitavanje o proizvedene energije 4) pravo da nakon prestanka podsticajnog perioda zaključi ugovor sa javnim snabdevačem po ceni na organizovanom tržištu; 5) Feed-in tarife:

Redni broj	Vrsta male hidroelektrane	Instalisana snaga P (MW)	Podsticajna otkupna cena (cEUR/kWh)
1.	Nova	do 0.2	12.40
2.	Nova	0.2 - 0.5	13.727 – 6.633*P
3.	Nova	0.5 - 1	10.41
4.	Nova	1 - 10	10.747 – 0.337*P
5.	Nova	10 - 30	7.38
6.	Na postojećoj infrastrukturi	do 30	5.9

II-4

Sticanje statusa povlašćenog proizvođača

Zahtev za sticanje statusa povlašćenog proizvođača

U prilogu: 1) kopija licence za obavljanje delatnosti proizvodnje električne energije, ukoliko je elektrana snage veće ili jednake 1 MW; 2) kopija ugovora o obavljanju delatnosti proizvodnje sa nosiocem licence, ukoliko podnositelj zahteva nije nosilac licence; 3) upotrebnu dozvolu za elektranu; 4) kopija akta o priključenju na distributivnu mrežu, odnosno prenosni sistem; 5) podaci o licu odgovornom za rad elektrane

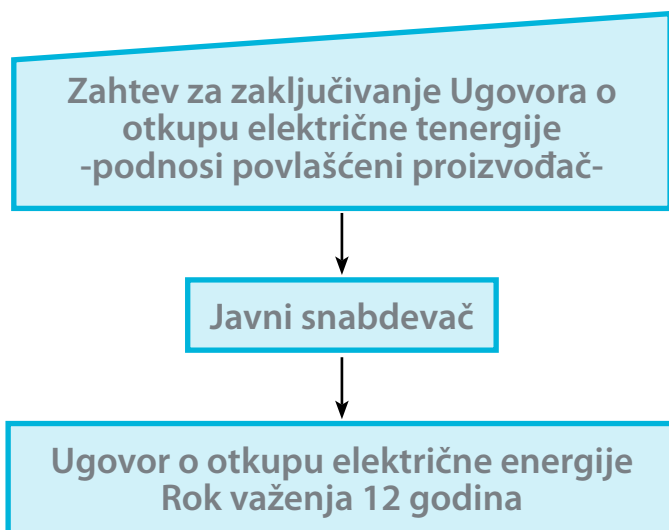
↓ 30 dana

Ministarstvo nadležno za energetiku

Rešenje o sticanju statusa povlašćenog proizvođača električne energije
(važi 12 godina)

Žalba – Vladi / Rok 15 dana

Osnovni koraci od ideje do korišćenja elektrane
Sticanje prava na obavljanje delatnosti proizvodnje električne energije



II-5

Ugovor o otkupu električne energije

Napomena

Postoje i slučajevi ugovora o otkupu proizvedene električne energije, pre sticanja statusa, radi realizacije priključenja na mrežu

Garancija porekla

- Dokument koji ima isključivu funkciju da dokaže krajnjem kupcu da je dati udeo ili količina energije proizvedena iz obnovljivih izvora energije, kao i iz kombinovane proizvodnje električne i toplotne energije sa visokim stepenom iskorišćenja primarne energije
- Garanciju porekla izdaje operator prenosnog sistema za jediničnu količinu proizvedene energije od 1 MWh
- Garancija je dokument u elektronskom obliku i važi godinu dana od dana izdavanja
- Prenosiva je
- Garancija porekla izdata u drugim državama važi pod uslovima reciprociteta i u Republici Srbiji i u skladu sa potvrđenim međunarodnim ugovorom

