

# ENERGY FROM RENEWABLE SOURCES ACT

*In force from 03.05.2011*

*Prom. SG. 35/3 May 2011, amend. SG. 29/10 Apr 2012, amend. SG. 54/17 Jul 2012, amend. SG. 15/15 Feb 2013, amend. SG. 59/5 Jul 2013, amend. SG. 68/2 Aug 2013, amend. SG. 109/20 Dec 2013, amend. SG. 33/11 Apr 2014, amend. SG. 65/6 Aug 2014, amend. SG. 14/20 Feb 2015, amend. SG. 17/6 Mar 2015, amend. SG. 35/15 May 2015, amend. and suppl. SG. 56/24 Jul 2015, amend. SG. 100/18 Dec 2015, amend. SG. 58/18 Jul 2017, amend. and suppl. SG. 38/8 May 2018, amend. and suppl. SG. 91/2 Nov 2018, amend. and suppl. SG. 41/21 May 2019, amend. SG. 65/21 Jul 2020, amend. SG. 9/2 Feb 2021, amend. SG. 21/12 Mar 2021, suppl. SG. 42/7 Jun 2022, amend. SG. 102/23 Dec 2022, amend. and suppl. SG. 11/2 Feb 2023, amend. SG. 54/23 Jun 2023, amend. and suppl. SG. 86/13 Oct 2023, suppl. SG. 106/22 Dec 2023, amend. and suppl. SG. 14/18 Feb 2025, amend. and suppl. SG. 47/10 Jun 2025, amend. and suppl. SG. 67/15 Aug 2025, **amend. SG. 97/14 Nov 2025***

## Chapter one.

### GENERAL PROVISIONS

Art. 1. (1) This Act shall regulate public relations related to the production and consumption of:

1. electric energy, heating and cooling energy from renewable sources;
2. (amend. – SG 86/23, in force from 13.10.2023) biogas and green hydrogen;
3. (amend. – SG 86/23, in force from 13.10.2023) energy from renewable sources in transport, renewable liquid and gaseous transport fuels of non-biological origin and recycled fuels in transport.

(2) For matters unsettled in this Act shall apply the Energy Sector Act.

Art. 2. (1) The main goals of this Act shall be:

1. to promote production and consumption of energy produced from renewable sources;
2. (amend. – SG 86/23, in force from 13.10.2023) to promote production and consumption of energy from renewable sources in transport, renewable liquid and gaseous transport fuels of non-biological origin and recycled fuels in transport;
3. (amend. – SG 86/23, in force from 13.10.2023) to create conditions for including biogas and green hydrogen in natural gas transmission and distribution networks;
4. to create conditions for including heat and cooling energy from renewable sources in heat-transmission networks;
5. (amend. – SG, 86/23, in force from 13.10.2023) to provide information on the supporting schemes, the use and practical peculiarities of the development and use of energy from renewable sources of all interested persons participating in the process of production and consumption of electric energy, heating and cooling energy from renewable sources, of production and consumption of biogas and green hydrogen, as well as production and consumption of energy from renewable sources in transport;
6. to create conditions for achieving sustainable and competitive energy policy and economic growth through innovations, introducing new products and technologies;
7. to create conditions for achieving sustainable development at regional and local level;
8. to create conditions for raising the competitiveness of small and medium enterprises through production and consumption of electric energy, heating and cooling energy from renewable sources;
9. reliability of the energy supply, delivery and technical safety;

10. to protect the environment and restricting the climate change;
11. to raise the living standard of population through economically effective use of energy from renewable sources.

(2) The goals under Para. 1 shall be achieved by:

1. (amend. – SG 86/23, in force from 13.10.2023) the introduction of schemes to support the production and consumption of electrical energy, heating and cooling energy from renewable sources, the production and consumption of biogas and green hydrogen, as well as the production and the consumption of energy from renewable sources in transport, renewable liquid and gaseous transport fuels of non-biological origin and recycled fuels in transport;

2. (amend. – SG 86/23, in force from 13.10.2023) regulating the rights and duties of the executive bodies and of the local self-government while conducting the policy of encouraging the production and consumption of electric energy, heating and cooling energy from renewable sources, production and consumption of biogas and green hydrogen, as well as the production and consumption of energy from renewable sources in transport, renewable liquid and gaseous transport fuels of non-biological origin and recycled fuels in transport;

3. (amend. – SG 86/23, in force from 13.10.2023) introducing obligations for the executive bodies for initiation and realization of measures, related to promotion of the production and consumption of electric energy, heating and cooling energy from renewable sources, production and consumption of biogas and green hydrogen, as well as the production and consumption of energy from renewable sources in transport, renewable liquid and gaseous transport fuels of non-biological origin and recycled fuels in transport;

4. (amend. – SG, 86/23, in force from 13.10.2023) introducing supporting schemes related to the development of transmission and distribution electric networks, including inter-system connections of intelligent networks, as well as building up of regulative equipment and equipment for storage, related to reliable functioning of the electric energy system while developing the production of energy from renewable sources;

5. introducing supporting schemes of building up and developing heat-transmission, gas-transmission and gas-distribution networks, including inter-system networks, where this is economically reasonable;

6. introducing supporting schemes for production of energy from renewable sources for one's own consumption;

7. creating a National information system for the potential, production and consumption of energy from renewable sources in the Republic of Bulgaria, called hereinafter "National information system";

8. (amend. – SG, 86/23, in force from 13.10.2023) introducing supporting mechanisms of scientific researches and development activity, related to production and consumption of electric energy, heat and cooling energy from renewable sources, to the production and consumption of biogas and green hydrogen, as well as the production and consumption of energy from renewable sources in transport;

9. mutual implementation of measures for consumption of energy from renewable sources and of measures for introducing technologies for raising the energy effectiveness.

(3) While developing supporting schemes, the technical requirements shall be indicated, including applicable standards to which should respond the equipments and systems for energy from renewable sources.

## **Chapter two.**

### **STATE GOVERNANCE IN THE AREA OF ENERGY FROM RENEWABLE SOURCES**

Art. 3. The Council of Ministers shall:

1. (amend. – SG, 86/23, in force from 13.10.2023) determine the state policy of encouraging the production and consumption of electric energy, heat and cooling energy from renewable sources, production and consumption of biogas and green hydrogen, as well as production and consumption of energy from renewable sources in transport;

2. (amend. – SG, 86/23, in force from 13.10.2023) adopt a Plan for defining priority zones for development of sites for production of electric energy from wind energy;

3. (suppl. – SG, 86/23, in force from 13.10.2023) adopt national supporting schemes for using energy from renewable sources, where in their long-term planning, the assessment results under Art. 4, Para. 2, item 1 shall be taken in consideration;

4. approve projects of agreements for mutual schemes between the Republic of Bulgaria and one or more EU Member States, for unifying or coordination of national supporting schemes for using energy from renewable sources;

5. approve mutual projects related to production of electric energy, heat and cooling energy from renewable sources between the Republic of Bulgaria and one or more EU Member States and/or one or more third states;

6. approve statistical transfers of certain quantities of energy produced from renewable sources from the Republic of Bulgaria to an EU Member State, as well as from EU Member State to the Republic of Bulgaria;

7. adopt acts of secondary legislation in the cases provided for by this Act.

Art. 3a. (New – SG 91/18 SG, amend. - 86/23, in force from 13.10.2023) The State policy for promotion of production and consumption of biofuels, liquid fuels of biomass, gaseous and solid fuels of biomass, renewable liquid and gaseous transport fuels for non-biological origin and recycled fuels in transport shall take into account the priority order of the waste, including the life cycle requirements and the overall impact of the formation and management of the specific flows of waste pursuant to Art. 6 of the Waste Management Act.

Art. 4. (1) (Amend. - SG 59/13, in force from 05.07.2013; amend. - SG 14/15) The state policy for promotion the production and consumption of electric energy, heat and cooling energy from renewable sources, the production and consumption of biogas and green hydrogen, as well as the production and consumption of energy from renewable sources in transport, renewable liquid and gaseous transport fuels of non-biological origin and recycled fuels in transport shall be conducted by the Minister of Energy.

(2) (Amend. - SG 59/13, in force from 05.07.2013; amend. - SG 14/15) The Minister of Energy shall:

1. (amend. – SG, 86/23, in force from 13.10.2023) prepare an assessment of the effectiveness of support schemes for electricity from renewable sources and their impact on different user groups and on investments;

2. (amend. – SG, 86/23, in force from 13.10.2023) be an administrator of state aid, provided under this Act, unless otherwise provided for in another Act;

3. propose to the Council of Ministers the projects of agreements for mutual schemes for approval, under Art. 3, p. 4;

4. propose to the Council of Ministers mutual projects for approval under Art. 3, p. 5;

5. propose to the Council of Ministers the statistical transfers under Art. 3, p. 6;

6. organize and direct the activities on planning and implementation of mutual projects under Art. 3, p. 5;

7. propose mutually with the Minister of Finance national supporting schemes for using energy from renewable sources under Art. 3, p. 3;

8. perform control over issuing, transferring and repeal of guaranties for origin of energy;

9. (amend. – SG, 86/23, in force from 13.10.2023) perform interaction with the executive bodies, with trade organizations and interested legal persons with non-profitable activity in relation to conducting the state policy for promotion of the production and consumption of electric energy, heat and cooling energy from renewable sources, the production and consumption of biogas and green hydrogen, as well as the production and consumption of energy from renewable sources in transport, renewable liquid and gaseous transport fuels of non-biological origin and recycled fuels in transport;

10. give to the EU competent institutions information, provided in the EU law, under the conditions and procedure of the ordinance under Art. 9, Para. 4 of the Energy Sector Act;

11. (amend. – SG, 86/23, in force from 13.10.2023) perform the international cooperation of the Republic of Bulgaria in the area of renewable sources;

12. (new - SG, 86/23, in force from 13.10.2023) approve the assessments under Art. 18a, Para. 5 and Art. 18b, Para. 4, prepared by the Agency for Sustainable Energy Development;

13. (former item 12 - SG, 86/23, in force from 13.10.2023) develop and introduce for adoption by the Council of Ministers drafts of acts of secondary legislation in the cases, provided by this Act;

14. (former item 13 - SG, 86/23, in force from 13.10.2023) adopt acts of secondary legislation in the cases, provided for by this Act;

15. (former item 14 - SG, 86/23, in force from 13.10.2023) perform control in the cases, provided by this Act;

16. (former item 15 - SG, 86/23, in force from 13.10.2023) exercise other powers in the area of renewable sources, assigned to him by this Act and other legislative acts.

(3) (New - SG, 86/23, in force from 13.10.2023) The assessment under Para. 2, item 1 shall be prepared at least once every 5 years, including an assessment of the impact of possible changes to the support schemes, with the Minister of Energy taking action to include it in the relevant update of the Integrated Plan in the field of energy and the climate of the Republic of Bulgaria and the progress reports, pursuant to Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the governance of the Energy Union and climate action, amending Regulations (EC) No. 663/2009 and (EC) No. 715/2009 of the European Parliament and of the Council, Directives 94/22/EC, 98/70/EC, 2009/31/EC, 2009/73/EC, 2010/31/EU, 2012/27/EU and 2013/30/EU of the European Parliament and of the Council, Directives 2009/119/EC and (EU) 2015/652 of the Council and repealing Regulation (EU) No 525/2013 of the European Parliament and of the Council (OJ, L 328 /1 of December 21, 2018), hereinafter referred to as "Regulation (EU) 2018/1999".

Art. 5. (Amend. - SG, 86/23, in force from 13.10.2023) The Minister of Environment and Waters with the Minister of Agriculture and Food, while implementing their powers under this Act, shall:

1. develop and implement a mechanism for reliable and independent auditing of the information, submitted by economic operators under Art. 40, regarding fulfillment of the requirements of the sustainability criteria and the criteria for reducing greenhouse gas emissions according to the requirements of Art. 37, Para. 16 of biofuels, liquid biomass fuels and gaseous and solid biomass fuels, renewable liquid and gaseous transport fuels of non-biological origin and recycled carbon fuels;

2. organize the creation and updating of a list of persons, who carry out audit of the compliance of biofuels, liquid biomass fuels and gaseous and solid biomass fuels with the sustainability criteria and the criteria for reducing greenhouse gas emissions;

3. organize the submission of information on transactions and sustainability criteria for gaseous and liquid biomass fuels, used in transport, including their greenhouse gas emissions over their entire life cycle.

(2) The Minister of Environment and Water, together with the Minister of Energy, the Minister of Regional Development and Public Works, the Minister of Transport and Communications and the

Minister of Agriculture and Food shall develop a Plan for determining priority areas for the development of sites for the production of electricity from wind energy.

(3) The development of the plan under Para. 2 shall be carried out taking into account:

1. the national goal for the share of energy from renewable sources in the gross final energy consumption and with the planned installed capacities for the production of electrical energy, defined in the Integrated Plan in the field of energy and climate of the Republic of Bulgaria;
2. the potential for electricity production from wind energy in the relevant areas;
3. the projected consumption of electricity in the country;
4. the planned in the 10-year plan under Art. 81d of the Energy Sector Act development of the electricity transmission network and the plans under Art. 90 of the same Act on the development of electricity distribution networks, including energy storage facilities;
5. the ecological sensitivity of the respective area, including its impact on neighboring protected areas and territories, protected natural habitats and habitats of protected species and natural territories with high conservation value.

(4) When determining the zones in the plan under Para. 2, artificial and built-up areas shall be considered with priority formations, such as roofs of buildings, areas with existing transport infrastructure, parking areas, waste sites, industrial areas, industrial parks, quarries, artificial water basins and reservoirs, urbanized areas (populated places and settlements), disturbed terrain, including embankments, tailings impoundments, landfills, as well as degraded land, that cannot be used in agriculture.

(5) The plan under Para. 2 shall determine the zones, in which the production of electrical energy is not expected to have a significant impact on the environment, in view of the characteristics of the area, as follows:

1. all appropriate tools and databases are used to determine the areas, including mapping sensitive areas for wild flora and fauna;
2. protected areas and protected areas of the National Ecological Network are excluded, established bird migration routes, forest and permanent grass areas, as well as other areas, that are determined using maps of sensitive areas, with the exception of artificial and built-up areas, located in these areas such as building roofs, parking lots or transport infrastructure;
3. marine areas are excluded, where the production of electricity from renewable sources would have a negative impact on commercial fishing within the meaning of § 1, item 28 of the Additional Provisions of the Fisheries and Aquaculture Act.

(6) The plan under Para. 2 shall lay down rules for the zones, including on the effective mitigation measures to be taken, when building sites for the production of energy from renewable sources, together with energy storage facilities, as well as facilities for connecting them to the electricity grid, in order to avoid or, where this is not possible, significantly reduce negative impacts on the environment. The newly introduced mitigation measures must prevent, to the greatest possible extent, killing or disturbance of specimens of the protected species from Annex No. 3 to Art. 37 of the Biodiversity Act, and the measures must be tested and monitored for their effectiveness, including through the implementation of pilot projects to test their effectiveness and impact, and the necessary actions must be taken immediately in case of ineffectiveness of the measures for mitigation, even when they have been subject to prior testing.

(7) The plan under Para. 2 shall be subject to environmental assessment in accordance with Art. 81, Para. 1 of the Environmental Protection Act and of a compatibility assessment under Art. 31, Para. 1 of the Biological Diversity Act.

(8) (Amend. - SG 47/25, in force from 10.06.2025) All necessary administrative permits, related to the stipulated requirements for the construction, reconstruction and commissioning of the sites for the production of energy from renewable sources in the zones defined by the plan under Para. 2, as well as for the construction, expansion and reconstruction of the necessary facilities for connecting these sites to the electricity transmission or the relevant electricity distribution network, shall be issued within a period of up

to one year.

(9) The term under Para. 8 shall also include the deadline for carrying out an assessment of the environmental impact of investment proposals according to Art. 92 of the Environmental Protection Act and compatibility assessment under Art. 31, Para. 1 of the Biological Diversity Act.

(10) The development of the plan under Para. 2 and its adoption shall not exclude the development of projects outside the territories, included in the plan, subject to the applicable legislation.

Art. 5a. (New – SG 91/18) (1) (Amend. – SG 102/22, in force from 01.01.2023, suppl. - SG, 86/23, in force from 13.10.2023) The Minister of Agriculture and Food shall:

1. organize the gathering and aggregation of information on the potential, production and consumption of raw materials from agriculture, livestock breeding and forestry to produce biofuels and liquid fuels from biomass (bioliquids);

2. prepare an analysis of the influence of the use of cereals and other starch-rich crops, sugar or oilseeds as raw materials for the production of biofuels and bioliquids in the Republic of Bulgaria, on the country's food balance.

(2) (Amend. – SG 102/22, in force from 01.01.2023, amend. - SG, 86/23, in force from 13.10.2023) The Minister of Agriculture and Food shall provide the information and analysis under Para. 1 to the Minister of Energy with respect to the updating of the Integrated plan in the field of energy and climate of the Republic of Bulgaria.

Ar. 5b. (New - SG, 86/23, in force from 13.10.2023) The Minister of Environment and Water may submit to the European Commission reports, including information on typical greenhouse gas emissions from the cultivation of agricultural raw materials in the country's territorial units, that are classified at level 2 of the Nomenclature of Statistical Territorial Units or at a sub-level of NUTS, in accordance with Regulation (EC) No. 1059/2003 of the European Parliament and of the Council, establishing a common classification of territorial units for statistical purposes (NUTS) (OJ, L 154/1 of 21 June 2003). The report describes the method and data sources, used to calculate the emission levels, where the method must take into account soil characteristics, climate and expected raw material yields.

Art. 6. (1) (Amend. - SG 17/15, in force from 06.03.2015, former text of Art. 6 -SG, 86/23, in force from 13.10.2023) The Commission for Energy and Water Regulation (CEWR) shall:

1. (suppl. - SG 38/18, in force from 01.07.2018, amend. - SG 41/19, in force from 01.07.2019, amend. – SG 9/21, in force from 02.02.2021, amend. - SG, 86/23, in force from 13.10.2023) determine preferential prices for buying electric energy from renewable sources, produced from energy facilities with a total installed capacity up to 30 kW inclusive, which are planned to be built on roof and facade structures of buildings, connected to the electricity distribution network and on real estates, attached to them in urbanized areas;

2. (amend. - SG 59/13, in force from 05.07.2013; amend. - SG 17/15, in force from 06.03.2015) determine by the methods under Art. 35, para 5 of the Energy Sector Act the distribution of costs resulting from the commitment to buy at preferential prices electric energy, produced from renewable sources, among all end customers connected to the the electric power system;

3. (amend. - SG, 86/23, in force from 13.10.2023) carry out control over the fulfillment of the obligations of the operators of the transmission and distribution networks to spend the funds under Art. 29, Para. 1 only for covering the costs under Art. 29, Para. 4;

4. (suppl. - SG, 86/23, in force from 13.10.2023) perform control while conducting procedures for joining energy sites for production of electric energy to the transferable and distribution electric networks and for compliance with the terms of the accession procedures;

5. perform control for implementation of the obligations of the operators of the transferable and distribution electric networks to report on the cases of substantial decrease of the quantities transferred

and/or distributed electric energy from renewable sources and on the undertaken corrective measures;

6. (revoked - SG 21/21, new – SG, 86/23, in force from 13.10.2023) prepare an assessment of the regulatory and administrative obstacles to long-term agreements for purchase of electricity from renewable sources and take measures to remove unjustified obstacles and to facilitate the implementation of such agreements;

7. (amend. - SG 59/13, in force from 05.07.2013; amend. - SG 14/15, amend. - SG, 86/23, in force from 13.10.2023) provide information to the Minister of Energy and to the Agency for Sustainable Energy Development (ASED) on the Integrated plan in the field of energy and climate of the Republic of Bulgaria within its competence;

8. perform also other competences in the area of the renewable sources, assigned to it by this Act and other legislative acts.

(2) (New - SG, 86/23, in force from 13.10.2023) The assessment under Para. 1, item 6 shall be submitted to the Minister of Energy, who shall take action to include it in the update of the Integrated Plan in the field of energy and climate of the Republic of Bulgaria and in the progress reports according to Regulation (EU) 2018/1999.

Art. 7. (1) (New - SG, 86/23, in force from 13.10.2023) The state policy of promoting the production and consumption of electric energy, heat and cooling energy from renewable sources, the production and consumption of biogas and green hydrogen, as well as the production and consumption of energy from renewable sources in transport, renewable liquid and gaseous transport fuels of non-biological origin and recycled fuels in transport, shall be implemented by the Executive Director of ASED.

(2) The Executive Director shall:

1. direct, manage and represent ASED;

2. (amend. - SG, 86/23, in force from 13.10.2023) participate in the development and updating of the Integrated Plan in the field of energy and climate of the Republic of Bulgaria;

3. (amend. - SG, 86/23, in force from 13.10.2023) organize the implementation of the activities and measures to promote the use of energy from renewable sources, included in the Integrated Plan in the field of energy and climate of the Republic of Bulgaria, in cooperation with the interested parties, assist in the development and implementation of municipal programs to promote the use of energy from renewable sources;

4. (amend. - SG, 86/23, in force from 13.10.2023) organize and maintain the Agency's membership in the Association of Issuing Authorities;

5. (amend. - SG 59/13, in force from 05.07.2013; amend. - SG 14/15, amend. - SG, 86/23, in force from 13.10.2023) provide for the Minister of Energy with the needed information for preparing the reports on the implementation of the Integrated plan in the field of energy and climate of the Republic of Bulgaria;

6. (amend. - SG, 86/23, in force from 13.10.2023) organize the creation and maintenance of the National information system and control the updating of the data

7. organize the creation and maintenance of the system for issuing guaranties for the energy origin;

8. (amend. - SG 17/15, in force from 06.03.2015, suppl. - SG, 86/23, in force from 13.10.2023) issue for the producers of electric energy, heat and cooling energy from renewable sources, biogas and green hydrogen guaranties for energy origin, perform activities on transfer and repeal of these guaranties and shall notify the EWRC for the issued guaranties, the performed activities on transfers and repeal of guaranties;

9. organize the planned statistical transfers of certain quantities energy from renewable sources from the Republic of Bulgaria to another EU Member State, as well as from another EU Member State – to the Republic of Bulgaria;

10. (amend. - SG, 86/23, in force from 13.10.2023) perform interaction with the executive

bodies, with branch organizations and interested legal persons with non-profitable activity while implementing activities and measures for promotion the production and consumption of electric energy, heat and cooling energy from renewable sources, the production and consumption of biogas and green hydrogen, as well as the production and consumption of energy from renewable sources in transport, renewable liquid and gaseous transport fuels of non-biological origin and recycled fuels in transport;

11. (amend. - SG, 86/23, in force from 13.10.2023) organize popularization of the measures of promoting the production and consumption of electric energy, heat and cooling energy from renewable sources, the production and consumption of biogas and green hydrogen, as well as the production and consumption of energy from renewable sources in transport, renewable liquid and gaseous transport fuels of non-biological origin and recycled fuels in transport;

12. assist the executive bodies and the bodies of the local self-government while implementing their obligations under this Act;

13. participate in the development of the legislative acts, provided by this Act;

14. perform control in the cases, provided by this Act;

15. (amend. - SG, 86/23, in force from 13.10.2023) organize information and training campaigns for the measures for support, the use and practical peculiarities of the development and use of electric energy, heat and cooling energy from renewable sources, biofuels, biogas, green hydrogen and energy from renewable sources in transport, as well as renewable liquid and gaseous transport fuels of non-biological origin and recycled fuels in transport;

16. (new - SG, 86/23, in force from 13.10.2023) prepare a manual for the procedures for the construction or reconstruction of energy facilities and facilities for the production of energy from renewable sources in compliance with the requirements of the Spatial Development Act, the Energy Sector Act, this Act, the Environmental Protection Act, the Biological Diversity Act and the bylaws on their implementation, publish it on the website of ASED and provide it to the mayors of municipalities;

17. (new - SG, 86/23, in force from 13.10.2023) prepare the assessments under Art. 18a, Para. 5 and Art. 18b, Para. 4 and submit them for approval to the Minister of Energy;

18. (previous item 16 – SG, 86/23, in force from 13.10.2023) also perform other powers, assigned to him by other normative acts.

(3) (New - SG, 86/23, in force from 13.10.2023) The authorities under Art. 148, respectively under Art. 177 of the Spatial Development Act, operators of electric networks, end customers under Art. 25a and the CEWR shall provide the Executive Director of ASED with information on issued construction permits under the Spatial Development Act, respectively on commissioned facilities for production of electricity from renewable sources and the issued permits for starting the implementation of licensing activities under the Energy Sector Act every three months.

(4) (New - SG, 86/23, in force from 13.10.2023) The Executive Director of ASED shall publish on the Agency's website the information under Para. 3.

Art. 8. The Regional Governor shall:

1. (amend. - SG, 86/23, in force from 13.10.2023) provide for the conducting of the state policy for promotion of the production and consumption of electric energy, heat and cooling energy from renewable sources, the production and consumption of biogas and green hydrogen, the production and consumption of energy from renewable sources in transport, the production and consumption of renewable liquid and gaseous transport fuels of non-biological origin and recycled fuels in transport, on the territory of the district;

2. (amend. - SG, 86/23, in force from 13.10.2023) coordinate the activities on the promotion of the production and consumption of electric energy, heat and cooling energy from renewable sources, the production and consumption of biogas and green hydrogen, the production and consumption of energy from renewable sources in transport, the production and consumption of renewable liquid and gaseous transport

fuels of non-biological origin and recycled fuels in transport between municipalities in the district;

3. provide information for the executive director of ASED on the implementation of the programmes under Art. 9 in the Municipalities on the territory of the region;

4. propose amendments, in ordinances and general administrative acts, adopted by the Municipal councils, where permits, certification and license procedures, including for the territory planning fail to meet the requirements of Art. 11.

Art. 9. (Amend. - SG, 86/23, in force from 13.10.2023) Municipal councils shall adopt long-term programmes for promoting the use of energy from renewable sources and biofuels.

Art. 10. (1) (Amend. - SG, 86/23, in force from 13.10.2023) The Mayor of the Municipality shall develop and introduce for adoption by the Municipal council municipal long-term programmes for promotion of the use of energy from renewable sources in accordance with the integrated plan in the field of energy and climate of the Republic of Bulgaria, which shall include:

1. (amend. - SG, 86/23, in force from 13.10.2023) analysis of the possibilities for building geothermal systems for heating and/or cooling of buildings - municipal property;

2. measures for use of energy from renewable sources at construction or reconstruction, general renewal, general repair or reconstruction of buildings – Municipal property;

3. measures for use of energy from renewable sources in outside artificial lighting of streets, squares, parks, gardens and other immovable properties – public Municipal property, as well as while realizing other Municipal activities;

4. measures for promotion of production and consumption of electric energy, heat and cooling energy produced from renewable sources, as well as such, produced from biomass of wastes, generated on the territory of the Municipality;

5. (amend. - SG, 86/23, in force from 13.10.2023) measures for using energy from renewable sources in municipal transport, as well as renewable liquid and gaseous transport fuels of non-biological origin and recycled fuels in transport;

6. analysis of the possibilities for building up energy sites for production of energy from renewable sources over the covering and facade constructions of buildings – Municipal property;

7. (amend. - SG, 86/23, in force from 13.10.2023) supporting schemes of projects for production and consumption of electric energy, heat and cooling energy from renewable sources, including individual systems for using electric energy, heat and cooling energy from renewable sources, the production and consumption of gas from renewable sources, as well as the production and consumption of biogas and green hydrogen, as well as renewable liquid and gaseous transport fuels of non-biological origin and recycled fuels in transport;

8. supporting schemes of projects for modernization and expansion of heat transmission networks or for building up heat transmission networks in populated places, meeting the requirements for differentiated territories under Art. 43, Para. 7 from the Energy Sector Act;

9. developing and/or updating the general and detailed territory plans, related to realization of public works for implementation of projects, in connection with the measures under p. 2, 3 and 4;

10. (amend. - SG, 86/23, in force from 13.10.2023) yearly information and training campaigns among the population of the relevant Municipality for the supporting measures, the use and practical peculiarities of the development and use of electric energy, heat and cooling energy from renewable sources, biogas, green hydrogen and renewable energy in transport.

(2) (Amend. - SG, 86/23, in force from 13.10.2023) Long-term programmes under Para. 1 shall be developed for the term of 10 years. In Municipal supporting schemes shall be able to participate only projects, related to the measures for the Municipal programmes under Para. 1.

(3) The Mayor of the Municipality shall:

1. inform in an appropriate way the public about the programme contents under Para. 1,

including through their publication on the Municipality's website;

2. organize the implementation of the programmes under Para. 1 and shall give information to the executive director of ASED, to the regional Governor and to the Municipal council about their implementation;

3. organize for the territory of the Municipality updating of the data and maintenance of the National information system under Art. 7, Para. 2, p. 6;

4. be in charge for simplifying and relieving the administrative procedures about small decentralized installations for production of energy from renewable sources and for production of biogas from agricultural materials – solid and liquid manures, as well as other wastes from animal and organic origin, and where necessary – make proposals before the Municipal council for simplifying and relieving the procedures;

5. (amend. - SG, 86/23, in force from 13.10.2023) give assistance to the competent state bodies for implementation of their competences under this Act.

6. (new - SG, 86/23, in force from 13.10.2023) provide information to the Executive Director of ASED about the introduced installations into operation for the production of electrical energy to end customers under Art. 18a.

(4) The Mayor of Municipality shall introduce for examination by the Municipal council the proposals of the regional Governor under Art. 8, p. 4 at the first meeting after receiving the proposal.

Art. 11. (1) The state power bodies and the bodies of the local self-government, while performing their competences on regulation of permits, certificate and license procedures, including the territory planning for achieving the goals of this Act, shall be obliged:

1. to determine in transparent way, clearly and with concrete terms the pronouncing on the relevant applications;

2. not to admit discrimination between the interested persons;

3. to account for the peculiarities of the single technologies for energy from renewable sources;

4. in case that they introduce charges for administrative service, they should be defined clearly, transparently and determined by the costs for performing the administrative service;

5. (new - SG, 86/23, in force from 13.10.2023) to envisage and apply simplified procedures for receiving permits for projects, related to realization of individual systems for production and consumption of electric energy, heat and cooling energy from renewable sources.

6. to envisage accelerated procedures for pronouncing in relation to planning, designing and building up an electrical energy network infrastructure;

7. (new - SG, 86/23, in force from 13.10.2023) to provide information on the necessary procedures and their sequence, including applicable deadlines and required documents;

8. (new - SG 47/25, in force from 10.06.2025) to predict the use of heating and cooling energy from renewable sources in the planning of infrastructure in urban areas, where appropriate, and to consult with the operators of the relevant networks in order to reflect the impact of the programs under Art. 12, Para. 2 of the Energy Efficiency Act, as well as the specific requirements for consumers of their own electricity from renewable sources and renewable energy communities on plans for the development of the relevant network infrastructure.

(2) The bodies of the state power and the bodies of the local self-government shall undertake measures to provide so that from 1 January 2012 the new buildings for public service, as well as the existing buildings for public service, in which is done reconstruction, general renewal, general repair works or reconstruction, should play the role of a sample for achieving the targets of this Act. This obligation may be fulfilled by observing the standards for residential buildings with zero use of energy by providing using the roofs of such buildings or buildings with mixed targets, including public service, by third persons for installations for production of energy from renewable sources.

### **Chapter three.**

## **NATIONAL OBJECTIVE FOR THE ENERGY FROM RENEWABLE SOURCES. STATISTICAL TRANSFERS, JOINT PROJECTS AND JOINT SCHEMES (TITLE, AMEND. – SG, 86/23, IN FORCE FROM 13.10.2023)**

### **Section I.**

#### **National objective for energy from renewable sources (Title amend. – SG, 86/23, in force from 13.10.2023)**

Art. 12. (Amend. – SG, 86/23, in force from 13.10.2023) (1) The national objective for the share of energy from renewable sources in the gross final energy consumption and the mandatory minimum target for the share of energy from renewable sources in the final energy consumption in transport in 2030 are set out in the Integrated Energy and Climate Plan of the Republic Bulgaria.

(2) From January 1, 2021, the share of energy from renewable sources in gross final energy consumption must be no less than 16 percent of gross final energy consumption.

(3) For the implementation of the national objective for the share of energy from renewable sources in the gross final consumption of energy, objectives shall be determined for the share of energy from renewable sources in the electricity sector, heat energy and cooling energy sector and in the transport sector.

(4) Where the share of energy from renewable sources is less than 16 percent of gross final energy consumption, measured over a one-year period, additional measures shall be taken to compensate the difference within one year, such as:

1. national measures to increase the use of renewable energy;
2. adjusting the share of energy from renewable sources in the heating and cooling sector;
3. adjusting the share of energy from renewable sources in transport;
4. voluntary financial payment under the renewable energy financing mechanism, established by Commission Implementing Regulation (EU) 2020/1294 of 15 September 2020 on the renewable energy financing mechanism in the Union (OJ, L 303/1 of 17 September 2020);
5. use of cooperation mechanisms - statistical transfers, joint projects and joint schemes.

(5) When calculating the gross final consumption of energy from renewable sources and the mandatory minimum target for the share of energy from renewable sources in final energy consumption in transport, the share of biofuels and biomass liquid fuels as well as biomass fuels, consumed in transport, produced from food and feed crops, must not exceed by more than one percentage point the share of these fuels in the final energy consumption of road and rail transport in 2020 and is a maximum of 7 percent of the final energy consumption of road and rail transport transport.

(6) For the periods 2021 - 2025 and 2026 - 2030, the share of energy from renewable sources in the heating and cooling sector increases by 1.3 percentage points on average per year for the respective period, calculated on the basis of the achievements in 2020 share of energy from renewable sources in this sector.

(7) The increase under Para. 6 shall be ensured by increasing the share of energy from renewable sources and from waste heat and cold in district heating and cooling systems by at least one percentage point on average per year, calculated for the periods 2021 - 2025 and 2026 - 2030, starting of the share of energy from renewable sources and from waste heat and cold in district heating and cooling systems in 2020.

(8) (New - SG 47/25, in force from 10.06.2025) To meet the mandatory minimum target for the share of energy from renewable sources in transport under Para. 1, fuel suppliers shall ensure that the share

of energy from renewable sources in end energy consumption in transport is at least 14 percent by 2030.

Art. 12a. (New – SG 91/18, repealed, - SG, 86/23, in force from 13.10.2023)

Art. 13. (Amend. – SG, 86/23, in force from 13.10.2023) (1) When calculating the mandatory minimum share of energy from renewable sources in the final energy consumption in transport, the consumption of new generation biofuels and biogas for the transport of type "A" raw materials shall be at least:

1. 0.2 percent in 2022;
2. one per hundred in 2025;
3. 3.5 percent in 2030;

(2) When calculating the mandatory minimum share of energy from renewable sources in the final energy consumption in transport, renewable liquid and gaseous transport fuels of non-biological origin shall also be taken into account when they are used as intermediate products for the production of conventional fuels and recycled carbon fuels.

(3) When calculating the gross final consumption of energy from renewable sources and the mandatory share of energy from renewable sources in final energy consumption in transport, the share of biofuels, liquid biomass fuels or gaseous and solid biomass fuels produced from food and feed crops with high risk of indirect land-use changes, for which there is a significant expansion of the production area in terrains with high carbon stocks, shall not exceed the level of consumption of such fuels in 2019.

(4) The part under Para. 3 may exceed the level of consumption in 2019, except where biofuels, liquid biomass fuels or gaseous and solid biomass fuels are certified as fuels with a low risk of indirect land-use change in accordance with Delegated Regulation (EU) 2019/807 of the Commission of 13 March 2019 to supplement Directive (EU) 2018/2001 of the European Parliament and of the Council with regard to the identification of feedstocks at high risk of indirect land-use changes, for which there is a significant expansion of the production area in terrains with high carbon stocks, and for the certification of low-risk biofuels, biomass liquid fuels and gaseous and solid biomass fuels from indirect changes in land use (OJ, L 133/1 of May 21, 2019).

(5) In the period from 31 December 2023 to 31 December 2030, the share of biofuels, biomass liquids or gaseous and solid biomass fuels produced from food and feed crops at high risk of indirect land-use change, for which significant expansion of the production area in terrains with high carbon stocks shall decrease to 0 percent.

(6) When calculating the consumption of energy from renewable sources, the share of biofuels and biogas for transport from type "B" raw materials shall be limited to 1.7 percent of the energy content of fuels in the transport sector.

(7) The calculation of the share of energy from renewable sources in gross final energy consumption and the share of renewable sources in transport, the rules for normalization when accounting for electric energy produced by hydroelectric and wind power plants, and for accounting for energy from heat pumps shall be determined by an Ordinance of the Minister of Energy. When calculating the share of energy from renewable sources, the methodology and definitions of Regulation (EC) No. 1099/2008 of the European Parliament and of the Council of 22 October 2008 on statistics for the energy sector shall be used (OJ, L 304/1 of 14 November 2008).

## **Section II.**

### **Statistical Transfers, Joint Projects and Joint Schemes**

Art. 14. (1) Statistical transfers shall be transfers between the Republic of Bulgaria and one or more EU Member States of quantities energy, produced from renewable sources on a territory of an EU Member State on the bases of agreements between the Member States for one or more years.

(2) (Amend. – SG 91/18, amend. – SG, 86/23, in force from 13.10.2023) The quantities of energies from renewable sources, which are transferred, shall be taken in consideration for the implementation of the targets under Art. 12, and Art. 13, Para. 1 and observing the restrictions under Art. 12, Para. 5, where as a result of the transfer the Republic of Bulgaria receives a quantity of energy and shall not be taken in consideration, where as a result of the transfer, the Republic of Bulgaria shall give a quantity of energy to another EU Member State.

(3) Statistical transfers shall give rise to an action after notification of the European Commission by the Republic of Bulgaria and the other participating in the transfer EU Member States.

Art. 15. (1) Joint projects shall be projects of the Republic of Bulgaria and one or more other EU Member States, related to the production of electric energy, heat and cooling energy from renewable sources, implementing of which a part of the whole produced energy on the territory of an EU Member State from a site, entered into exploitation after 25 June 2009, or through increases power of installations, reconstructed after this date shall be accounted for the implementation of the general national target for share of the energy from renewable sources in the Republic of Bulgaria.

(2) Joint projects shall also be projects of the Republic of Bulgaria and one or more EU Member States and one or more third states, related to the production of electric energy from renewable sources, while implementing of which a part or the whole produced electric energy on the territory of a third state from a site, entered into exploitation after 25 June 2009, or through increased power of an installation, reconstructed after this date, is accounted for the implementation of the general national target for a share of the energy from renewable sources in the Republic of Bulgaria, where:

1. the electric energy is used in the European Union;

2. the quantity produced and imported electric energy has not been subject of support from a third state, unless in the cases of investment assistance for the energy site.

(3) The electric energy shall be accounted ad used in the European Union according to Para. 2, p. 1 where the following conditions have been fulfilled:

1. all the operators of transferable systems in the state of origin, in the state of location and if needed, in any transit third state have duly determined the quantity electric energy, corresponding to the accounted one, which is used for their relevant share of the inter-system capacity;

2. (amend. – SG, 86/23, in force from 13.10.2023) an operator of transferable system of the European Union has duly registered the quantity electric energy, corresponding to the accounted one in relation to a certain inter-system distribution line;

3. the determined capacity and production of electric energy from renewable sources shall refer to the installation and period under Para. 2;

4. (new – SG, 86/23, in force from 13.10.2023) the electrical energy was produced in accordance with international law in a third country, that is a party to the Convention for the Protection of Human Rights and Fundamental Freedoms of the Council of Europe or other international conventions or treaties in the field of human rights.

(4) (Amend. - SG 59/13, in force from 05.07.2013; amend. - SG 14/15) The Minister of Energy may request from the European Commission to account for the electric energy from renewable sources, produced and used in a third state in relation to construction of inter-system connection between the Republic of Bulgaria and a third state with a long period of implementation, if the following conditions have been met:

1. (amend. – SG, 86/23, in force from 13.10.2023) the construction of the inter-system connection will have started by 31 December 2026;

2. (amend. – SG, 86/23, in force from 13.10.2023) the inter-system connection cannot be entered into exploitation by 31 December 2030, but may be entered into exploitation by 31 December 2032;

3. after its entering into exploitation the inter-system connection will be used for import of electric energy from renewable sources in the European Union in compliance with Para. 2 and 3;

4. the request shall refer to a joint project under Para. 2 and shall use the inter-system connection after its entering into exploitation, as well as to the quantity electric energy, which shall not be larger than the quantity, which will be imported in the European Union after entering into exploitation of the inter-system connection.

(5) (Amend. – SG, 86/23, in force from 13.10.2023) The joint projects under Para. 1 and 2 may be for 1 or more years; private operators may also participate in them, and the accounting of the energy for the implementation of the general national target of the Republic of Bulgaria shall be admissible by 31 December 2030, where the joint projects may continue after this date as well.

Art. 16. (1) the Republic of Bulgaria and one or more EU Member States may agree for the application of joint supporting schemes through combining or coordinating the national supporting schemes.

(2) While applying joint supporting schemes, certain quantities energy, produced on the territory of some of the participating EU Member States, may be considered as a part of the general national target of another participating EU Member State, when one of the following conditions are met:

1. a statistical transfer has been made from one EU Member State to another in compliance with Art. 14;

2. a rule for distribution of the quantities energy from renewable sources has been determined between the participating EU Member States;

(3) (amend. - SG 59/13, in force from 05.07.2013; amend. - SG 14/15) The Minister of Energy shall notify the European Commission and the participating States about the agreements under Art. 14, about the projects under Art. 15 and about the joint schemes under the conditions and procedure of the ordinance under Art. 9, Para. 4 of the Energy Sector Act.

## **Chapter four.**

### **PRODUCTION OF ENERGY FROM RENEWABLE SOURCES**

#### **Section I.**

#### **General Provisions**

Art. 17. (1) (Previous text of Art. 17, amend. – SG, 86/23, in force from 13.10.2023) The promotion of production of energy from renewable sources for the permanent satisfaction of public needs shall be carried out through:

1. (amend. – SG, 86/23, in force from 13.10.2023) development of supporting schemes and consumption of energy from renewable sources, biogas and green hydrogen, biofuels and energy from renewable sources in transport and of liquid fuels from biomass;

2. development of supporting schemes of the production and consumption of energy from biomass, in the cases where technologies with high level of protection of the environment are used and energy in highly effective way is produced;

3. development of joint supporting schemes with other EU Member States for support of the production and consumption of energy from renewable sources;

4. (amend. – SG 97/25, in force from 14.11.2025) financing activities and projects for production of energy from renewable sources, as well as for using energy from renewable sources at end consumption of energy from the National Decarbonisation Fund and from other financial institutions;

5. contracts with guaranteed result according to the Energy Efficiency Act, related to use of energy from renewable sources.

6. (new – SG, 86/23, in force from 13.10.2023) establishing the right to build under Art. 62, Para. 1 and 2 of the Energy Sector Act for the construction of objects and facilities for the production of energy from renewable sources;

7. (new – SG, 86/23, in force from 13.10.2023) introduction of renewable energy obligations - a support scheme requiring energy producers to include a certain proportion of energy from renewable sources in their production, requiring energy suppliers to include a certain proportion of energy from renewable sources in their supply or requiring consumers of energy to include a certain share of energy from renewable sources in their consumption;

8. (new – SG, 86/23, in force from 13.10.2023) application of a simplified procedure for changing the purpose of agricultural lands according to the Preservation of Agricultural Lands Act;

9. (new - SG 47/25, in force from 10.06.2025) application of the shortest time limit provided for in the relevant law in administrative and court proceedings on appeals of an investment project for the construction of a renewable energy power plant and the facilities necessary for its connection, reconstruction and modernization of networks, including in appeals related to environmental protection and biodiversity.

(2) (New – SG, 86/23, in force from 13.10.2023) Support schemes for the electrical energy from renewable sources and changes to such schemes shall be developed under:

1. compliance with state aid legislation;

2. taking into account the conditions of the electricity market, taking into account the costs of integration into the electricity system and in compliance with the security criteria, determined by the rules under Art. 83, Para. 1, items 4 and 5 of the Energy Sector Act;

3. (new - SG 47/25, in force from 10.06.2025) taking into account the specificities of renewable energy communities to enable them to compete for support on equal terms with other market participants.

(3) (New – SG, 86/23, in force from 13.10.2023) Changes in a developed support scheme for electrical energy from renewable sources shall be made in accordance with objective criteria, established in the initially developed scheme, without allowing a negative impact and impact on the economic viability of the investment.

(4) (New – SG, 86/23, in force from 13.10.2023) When implementing support schemes for increasing the consumption of energy from renewable sources under this Act, it shall be necessary, that the schemes are accessible to low-income households or vulnerable households.

(5) (New – SG, 86/23, in force from 13.10.2023, repealed - SG 47/25, in force from 10.06.2025)

(6) (New – SG, 86/23, in force from 13.10.2023, repealed - SG 47/25, in force from 10.06.2025)

(7) (New – SG, 86/23, in force from 13.10.2023) All necessary administrative permits, related to the stipulated requirements for the construction, reconstruction and commissioning of energy facilities for the production of electricity from renewable sources, which are built in artificial and built-up areas, such as roofs of buildings, areas with existing transport infrastructure, areas for parking, waste sites, industrial zones, industrial parks, quarries, urbanized territories, settlements and settlements, waste landfills, shall be issued within a period of up to one year.

Art. 18. (1) The production of electric energy from renewable sources, including electric energy from combined production of heating and /or cooling energy and electric energy from renewable sources, shall be promoted through:

1. providing guaranteed access of electric energy, produced from renewable sources, to the transmission and distribution electric networks while observing the criteria of security, determined by the rules under Art. 83, Para. 1, p. 4 and 5 of the Energy Sector Act;

2. (new - SG 17/15, in force from 06.03.2015, repealed, - SG, 86/23, in force from 13.10.2023)

3. (prev. text of item 2 - SG 17/15, in force from 06.03.2015) guarantee of the transfer and

distribution of electric energy, produced from renewable sources, while observing the security criteria under p. 1;

4. (prev. text of item 3 - SG 17/15, in force from 06.03.2015) providing building up of the needed infrastructure and electric energy powers for regulation of the electric energy system;

5. (prev. text of item 4 - SG 17/15, in force from 06.03.2015, amend. - SG, 86/23, in force from 13.10.2023) granting priority in dispatching electrical energy, produced from renewable sources, under the conditions of Art. 12, Paragraphs 1, 2, 5, 6 and 7 of Regulation (EU) 2019/943 of the European Parliament and of the Council of 5 June 2019 on the internal electricity market (OJ, L 158/54 of 14 June 2019);

6. (prev. text of item 5 - SG 17/15, in force from 06.03.2015, amend. and suppl. - SG 38/18, in force from 01.07.2018, amend. - SG 41/19, in force from 01.07.2019, amend. – SG 9/21, in force from 02.02.2021, amend. - SG, 86/23, in force from 13.10.2023) buying electric energy from renewable sources, produced from energy facilities with a total installed capacity of less than 500 kW, according to concluded long-term contracts under Art. 31, Para. 2;

7. (prev. text of item 6 - SG 17/15, in force from 06.03.2015) determining preferential price for buying electric energy, produced from renewable sources, including electric energy, produced from biomass, through technologies for direct burning, with the exception of the energy produced from water power stations with total installed power above 10 MW;

8. (prev. text of item 7 - SG 17/15, in force from 06.03.2015) determining preferential prices for buying electric energy, produced from biomass, in the cases where technologies for thermal gasification are used; the price cannot be lower than 30% above the preferential price, determined for the electric energy, produced from biomass from waste wood and other, through technologies for direct burning with a combined cycle.

(2) (Amend. - SG 59/13, in force from 05.07.2013; amend. - SG 14/15; amend. - SG 17/15, in force from 06.03.2015, repealed - SG, 86/23, in force from 13.10.2023)

(3) The production of heat and cooling energy from renewable sources shall be promoted through:

1. supporting and realizing projects for building up heat transmission networks in populated places, meeting the requirements for restricted territory under Art. 43, Para. 7 of the Energy Sector Act, where economic use has been proved for consumption of heat energy from renewable sources for production of which an idea investment project has been produced;

2. support and realization of projects for building up small decentralized systems for heat and/or cooling energy;

3. joining sites for production of heat energy from renewable sources to the heat transmission network and buying from the heat transmission facility of the produced by another producer heat energy under the conditions of the Energy Sector Act and the ordinance under Art. 125, Para. 3 of the Energy Sector Act, where this is technically possible and economically advisable.

4. (new - SG, 86/23, in force from 13.10.2023) supporting and implementing projects for installation of high-efficiency heating and cooling installations with energy from renewable sources in buildings or the use of energy from renewable sources or waste heat and cold in industrial processes;

5. (new – SG, 86/23, in force from 13.10.2023) giving priority to the best available technologies;

6. (new – SG, 86/23, in force from 13.10.2023) priority connection of sites for production of thermal energy from geothermal energy to the heat transmission network and purchase from the heat transmission enterprise of the thermal energy, produced by geothermal energy under the conditions of the Energy Sector Act and the Ordinance under Art. 125, Para. 3 of the same Act.

(4) (Amend. - SG, 86/23, in force from 13.10.2023) The production of biogas and green hydrogen shall be promoted by:

1. (amend. - SG 17/15, in force from 06.03.2015) providing guaranteed access to the transfer and distribution networks while observing the security criteria, proposed by the operators of the gas-

transmission and gas-distribution systems approved by EWRC;

2. (amend. - SG, 86/23, in force from 13.10.2023) guaranteeing the transfer and distribution of biogas and green hydrogen, while observing the security criteria under p. 1;

3. (amend. - SG, 86/23, in force from 13.10.2023) non-admittance of discrimination in relation to biogas and green hydrogen while determining charges for transfer and distribution on transferable or distribution networks;

4. (amend. - SG, 86/23, in force from 13.10.2023) publishing by the operators of the gas-transferable and gas-distribution networks of the tariffs for joining sites for production of biogas and green hydrogen;

5. (amend. - SG 17/15, in force from 06.03.2015, amend. - SG, 86/23, in force from 13.10.2023) mandatory purchase of biogas with a quality and pressure certificate, and green hydrogen, according to a contract with the public supplier and/or end suppliers.

(5) The realization of investment intentions under Para. 3 shall be supported financially, where with the project it is achieved a substantial decrease of the consumption of energy, the provisions of the Technical Requirements to Products Act shall be applicable, and with self-participation of the Municipality and /or the interested person. When determining the effectiveness of reforming and the relation of the produced energy to the primary energy of the systems and equipment shall be used procedures of the Community, and in case of lack of such – international procedures.

(6) (New – SG 29/12, in force from 10.04.2012; amend. - SG 17/15, in force from 06.03.2015, repealed - SG, 86/23, in force from 13.10.2023)

(7) (New - SG 56/15, in force from 24.07.2015, amend. – SG 100/15, amend. - SG, 86/23, in force from 13.10.2023)

Art. 18a. (New – SG, 86/23, in force from 13.10.2023) (1) An end customer may become a user of his own electricity from renewable sources under the conditions of Para. 2 - 4.

(2) A user of own electricity from renewable sources may:

1. produce and store the electricity, produced by it from renewable sources to sell its surpluses of electricity from renewable sources through agreements for the purchase of electricity from renewable sources, through electricity suppliers and through trading agreements between partners;

2. install and operate an electrical energy storage facility together with an installation for the production of electrical energy from renewable sources for own consumption, without being obliged to pay for the use of the network for the connection of the facilities for the storage of the produced electrical energy, within its property;

3. maintain its rights and obligations as an end customer of electricity;

4. sell the excess amounts of electricity, produced by it as an equal participant in the electricity market under the conditions, set out in the Energy Sector Act and its normative acts and for payment at market prices, as well as under support schemes for the electricity, produced and sold energy from renewable sources.

(3) Users of their own electric energy from renewable sources, located in the same building, including a residential building, shall have the right to participate as joint users of their own electric energy from renewable sources in the activities, specified in Para. 2 and may share with each other the electrical energy from renewable sources, produced in an installation or installations for production of electrical energy in the building, while respecting the rights and obligations of each user of own electricity from renewable sources, without prejudice to payments for the use of the network and the relevant taxes and fees, applicable to each user of own electricity from renewable sources.

(4) (Suppl. - SG 47/25, in force from 10.06.2025) In the cases under Para. 2, items 1 and 4, users of their own electric energy from renewable sources shall regulate their relationship with the operator of the electric transmission and/or the relevant electric distribution/closed electric distribution network for the use

of the network under conditions, defined in the rules under Art. 91, Para. 2 of the Energy Sector Act. The operator of the electricity transmission and/or the respective electricity distribution/closed electricity distribution network may not apply discriminatory or disproportionate procedures and may not require consumers of their own electricity from renewable sources to pay network service prices for electricity from renewable sources produced on site by them and consumed within their premises.

(5) Promotion of the development of consumption of own electric energy from renewable sources shall be carried out on the basis of an assessment, prepared by the Executive Director of ASED of the existing unfounded obstacles and the potential of the consumption of own electric energy and in the electric networks through:

1. measures to provide all final consumers of electricity with the possibility of consuming their own electricity from renewable sources, including those with low incomes or vulnerable customers;

2. removing obstacles to financing of projects for consumption of own electricity from renewable sources and introducing measures to facilitate access to financing;

3. removal of unfounded regulatory obstacles to consumption of one's own electric energy from renewable sources, including when renting a building or premises from the building;

4. introduction of incentives for building owners to create opportunities for consumption of their own renewable electrical energy, including when renting a building or premises from the building;

5. providing users of their own electricity from renewable sources, for the electricity, that enters the respective electricity network, non-discriminatory access to existing support schemes, as well as to all segments of the free electricity market;

6. creating guarantees, that consumers of own electricity contribute in a balanced and appropriate way to the overall cost sharing of the system when the grid is supplied with electricity.

(6) The installation of a user of own electricity from renewable sources may be owned or managed by a third party in terms of installation, operation, including metering of electricity, and maintenance, provided that the third party is bound by the written instructions of the user of own electricity from renewable sources. The third party shall not be considered a consumer of its own electricity from renewable sources.

(7) Summary information under Para. 5 shall be presented with reports on the progress and updating of the Integrated Plan in the field of energy and climate of the Republic of Bulgaria in accordance with Regulation (EU) 2018/1999.

(8) For users of their own electricity from renewable sources, the requirements of Art. 92c of the Energy Sector Act shall apply.

Art. 18b. (New – SG, 86/23, in force from 13.10.2023) (1) End customers, including residential customers, may participate in a renewable energy community without losing their rights or obligations as end customers and without having to fulfill unreasonable or discriminatory conditions or procedures, that would prevent their participation in a renewable energy community. In case of participation of enterprises, their participation must not be related to their main commercial or professional activity.

(2) Renewable Energy Communities:

1. may produce, consume, store and sell surplus amounts of energy from renewable sources as an equal participant in the energy markets under the conditions defined in the Energy Sector Act, including through agreements for purchase of electric energy;

2. may share within the renewable energy community the energy, produced by installations, owned by the renewable energy community, respecting the rights and obligations of the members of the renewable energy community as consumers;

3. shall have access in a non-discriminatory manner to all relevant energy markets.

(3) The development of renewable energy communities shall be promoted through:

1. removal of unreasonable regulatory and administrative obstacles;

2. application of the requirements of the Energy Act when selling energy and other energy services;

3. ensuring cooperation with the relevant distribution network operator and heat transfer company for transfer of energy in the community;

4. the competent authorities, applying fair, proportionate and transparent administrative procedures, including registration and licensing, and ensuring, that regulated prices for network services are applied to all network users, which should contribute in an adequate, fair and balanced way to the distribution of total costs for the system in accordance with a transparent analysis of the costs and benefits of distributed energy resources;

5. application of non-discriminatory treatment to communities in relation to their activities, rights and obligations as end-users, producers, suppliers, distribution system operators or as other market participants;

6. accessibility for all users to participate in communities, including low-income households or vulnerable clients;

7. facilitating access to finance and information;

8. providing regulatory support and assistance to build the capacity of public authorities in facilitating and creating renewable energy communities and in facilitating their direct participation;

9. introduction of rules to guarantee the equal and non-discriminatory treatment of users, participating in the renewable energy community.

(4) To promote the development of renewable energy communities, the Executive Director of ASED shall prepare an assessment of the existing obstacles and the potential for development of renewable energy communities.

(5) Information on the incentives under Para. 3 shall be presented with reports on the progress and updating of the Integrated Plan in the field of energy and climate of the Republic of Bulgaria in accordance with Regulation (EU) 2018/1999.

(6) For renewable energy communities, the requirements of Art. 92b of the Energy Sector Act shall apply.

Art. 19. (Repealed – SG, 86/23, in force from 13.10.2023)

Art. 20. (1) While building up new or in reconstruction, general renewal, general repair or reconstruction of existing buildings, installations for production of energy from renewable sources shall be introduced into exploitation, where this is technically possible and economically beneficial.

(2) In the cases under Para. 1, at least 15% of the total quantity heat and cooling energy, needed for the building, must be produced from renewable sources through introduction of:

1. central heating, using biomass or geo-thermal energy;

2. individual equipment for burning biomass with effectiveness of transformation at least 85% in residential and commercial buildings and 70% in industrial buildings;

3. solar thermal installations;

4. (amend. - SG 11/23) thermo-pumps and geo-thermal systems.

(3) While developing investment projects for new buildings or reconstruction, general renewal, general repair or reconstruction of existing buildings in the part "energy effectiveness" and in the examination for energy effectiveness of the existing buildings, the possibilities for using energy from renewable sources shall be obligatorily analyzed in order to prove the technical possibility and economic benefit under Para. 1. The analysis of the possibilities for using energy from renewable sources shall be part of the assessment of the indicators for annual energy expenditure of the building.

(4) When realizing projects for modernization of production processes in small and medium enterprises, the measures for energy effectiveness shall be combined with introduction into exploitation of

installations for production of heat and cooling energy from renewable sources for satisfying the technological needs of the enterprise.

(5) Para. 1 – 4 shall not apply to buildings of the armed forces, where the application of these requirements contradicts the purpose of the buildings.

Art. 20a. (New – SG 29/12, in force from 10.04.2013; revoked – SG 33/14)

Art. 20b. (New – SG 29/12, in force from 10.04.2013; revoked – SG 33/14)

Art. 20c. (New – SG 29/12, in force from 10.04.2013; revoked – SG 33/14)

Art. 20d. (New – SG 29/12, in force from 10.04.2013; revoked – SG 33/14)

Art. 20e. (New – SG 29/12, in force from 10.04.201; amend. - SG 59/13, in force from 05.07.2013; revoked – SG 33/14)

Art. 20f. (New – SG 29/12, in force from 10.04.2013; revoked – SG 33/14)

Art. 21. (1) (In force from 31.12.2012, amend. - SG 11/23) The activities on mounting and maintenance of equipment for biomass, solar photovoltaic transformers, solar thermal installations, thermal pumps and geo-thermal systems shall be done by persons, possessing the needed professional qualification about this.

(2) (In force from 31.12.2012) Acquiring qualification for performing the activities under Para. 1 shall be done under the conditions and procedure of the Vocational Education and Training Act.

(3) (In force from 31.12.2012) The institutions, which have the right to conduct education for acquiring professional qualification according to the Professional Education and Training Act, shall be obliged to produce yearly in ASED a list of the persons, who have acquired qualification for performing the activities under Para. 1.

(4) (In force from 31.12.2012) Recognizing professional qualifications, acquired in other EU Member States and in third states for performing the activities under Para. 1 shall be done under the conditions and procedure of the Recognition of Professional Qualifications Act for providing access and exercising regulated professions in the Republic of Bulgaria.

(5) (Amend. – SG 29/12, in force from 10.04.2013; amend. – SG 68/13, in force from 02.08.2013, amend. – SG, 86/23, in force from 13.10.2023) The state educational standard for acquiring qualification for the profession of "Technician of Energy Equipment and Installations" or "Installer of Energy Equipment and Installations", specialty "Renewable energy resources", including the activities under Para. 1, as well as the terms of validity of the documents, certifying the availability of the corresponding type of qualification, shall be determined in an ordinance of the Minister of Education and Science.

## **Section II.**

### **Administrative service of the investment process for construction of energy facilities for the production of energy from renewable sources. Joining Energy Sites for Production of Electric Energy from Renewable Sources (Title, amend. – SG, 86/23, in force from 13.10.2023)**

Art. 22. (Amend. – SG, 86/23, in force from 13.10.2023) (1) (Amend. and suppl. - SG 47/25, in force from 10.06.2025) An administrative service center shall be established for each municipality, which, upon request from users of administrative services, shall provide instructions and information on the procedures for construction, reconstruction or modernization of energy facilities and facilities for the production of energy from renewable sources, co-located energy storage facilities, heat pumps, facilities for the storage of electrical and/or thermal energy, as well as facilities for the connection of energy facilities and facilities for the storage of electrical energy to the relevant electricity grid, and facilities for the connection of energy facilities for the production of thermal energy and cooling energy to the heat transfer network.

(2) (Amend. - SG 47/25, in force from 10.06.2025) The centre under Para. 1 shall coordinate with competent bodies the procedures for providing administrative services for issuing administrative acts under the Spatial Development Act in connection with requests for permission to construct energy facilities under Para. 1 and the procedures for issuing other administrative acts for permission to connect to the relevant electricity or heat transmission network, including through the provision and receipt of internal administrative services.

(3) The centre under Para. 1 shall, through the website of the municipality and in another appropriate way, publish the manual under Art. 7, Para. 2, item 16.

(4) (Amend. - SG 47/25, in force from 10.06.2025) The requests for issuing the necessary administrative acts under the Spatial Development Act for the construction of the energy facilities under Para. 1 shall be submitted to the relevant administrative service centre in compliance with the requirements of Chapter Three, Section IX, and Chapter Seven, Sections III and IV, respectively, and Chapter Eight, Sections II and III of the Spatial Development Act.

(5) (Amend. - SG 47/25, in force from 10.06.2025) The centre under Para. 1 shall provide the operator of the electricity transmission, distribution or heat transmission network information on any issued construction permit which is basis for concluding an accession contract. The administrative service centre under Para. 1 shall provide the operator with the necessary documents certifying the real right to the property, on which the energy facility will be built, and the issued design visa.

(6) (Amend. - SG 47/25, in force from 10.06.2025) When irregularities are established in a submitted request under Para. 4, including when the information and documents submitted with the request under Para. 4 are incomplete or do not meet the requirements of Chapter Three, Section IX, respectively Chapter Seven, Sections III and IV and Chapter Eight, Sections II and III of the Spatial Development Act, the administrative service centre shall, within 7 days of submitting the request, notify the person who submitted the request in writing, indicating the irregularities and/or incompleteness, granting him/her a 14-day period for eliminating the irregularities and/or submitting additional information and documents. The notification shall indicate the consequences under Para. 7.

(7) (Amend. - SG 47/25, in force from 10.06.2025) When irregularities and/or incompleteness have not been eliminated within the term as per Para. 6, proceedings on the submitted request shall be terminated.

(8) (Amend. - SG 47/25, in force from 10.06.2025) The starting date of the procedure for issuing the relevant administrative act under the Spatial Development Act shall be the date of submission of the request, and in case of irregularities and/or incompleteness found - the date of their elimination.

(9) (New - SG 47/25, in force from 10.06.2025) The Centre under Para. 1 shall prepare and organize coordination of a schedule, taking into account the deadlines set forth in the current legislation for issuing the necessary documents for the construction of the requested facility and its commissioning, between the person who submitted the request, the competent bodies under the Spatial Development Act, and where applicable - also under the Environmental Protection Act, the Biodiversity Act and the Cultural Heritage Act, including the operating companies, and the operator of the relevant network to which the facility will be connected. The deadlines in the schedule, which concern the issuance of the relevant administrative acts, shall be determined under the rules of the Spatial Development Act and the

Administrative Procedure Code, and where applicable - also under the Environmental Protection Act, the Biodiversity Act and the Cultural Heritage Act, without exceeding the deadlines for completing the procedures set forth in Para. 10. When the total duration of the deadlines under the aforementioned laws exceeds the relevant deadline under Para. 10, the administrative service centre shall inform the competent bodies and the operator of the relevant network with a view to their decision before the deadlines in the schedule. The centre shall monitor compliance with the deadlines set in the schedule, updating the schedule and the deadlines therein, if necessary, including when assessing the applicable procedure under the Environmental Protection Act.

(10) (New - SG 47/25, in force from 10.06.2025) The schedule under Para. 9 shall contain a deadline for completing the procedure for issuing permits, including for issuing the permit for use or the certificate of commissioning, when such is required under the Spatial Development Act, as follows:

1. up to one year - when carrying out the modernization of an energy facility for the production of energy from renewable sources, for new installations with an electrical capacity of less than 150 kW, for co-located energy storage facilities and for electrical energy storage facilities, as well as for the facilities for their connection to the relevant network;

2. up to three years - for wind power plants located at sea;

3. up to two years - in all other cases;

4. a deadline specified in the cases under Art. 25b and 25c.

(11) (New - SG 47/25, in force from 10.06.2025) Deadlines under Para. 10 may be of longer duration if the person who submitted the request under Para. 4 has stated so in the request. Deadlines may be extended by no more than three months in the cases under Para. 10, item 1 and by no more than 6 months in the cases under Para. 10, items 2 and 3 in exceptional circumstances, including when such exceptional circumstances require extended terms for the implementation of the applicable procedures under the Environmental Protection Act and the Biodiversity Act. The Administrative Service Centre shall notify the applicant with reasons for the exceptional circumstances giving grounds for such an extension.

(12) (New – SG 47/25, in force from 10.06.2025) The schedule and the deadlines provided for therein shall be binding on the person who submitted the request, the competent bodies under the Spatial Development Act, and where applicable - also under the Environmental Protection Act, the Biodiversity Act and the Cultural Heritage Act, including the operating companies, and the operator of the relevant network to which the energy facility will be connected.

(13) (New - SG 47/25, in force from 10.06.2025) Except when they coincide with other administrative stages of the permit issuance procedure, deadlines under Para. 10 shall not include:

1. the time, during which the renewable energy production facility, the facilities for its connection to the grid, and - in view to ensuring stability, reliability and safety of the grid - the necessary grid infrastructure are constructed or modernized;

2. the time for the administrative stages necessary for significant improvements to the grid, which are required to ensure its stability, reliability and safety;

3. the period of conducting administrative and judicial dispute resolution procedures in connection with the submitted request;

4. the relevant stages of the permit issuance procedure that depend on the actions of the person who submitted the request or of third parties other than the competent bodies and grid operators.

Art. 23. (Repealed – SG, 86/23, in force from 13.10.2023)

Art. 24. (Repealed – SG, 86/23, in force from 13.10.2023)

Art. 25. (Repealed – SG, 86/23, in force from 13.10.2023)

Art. 25a. (New - SG 42/22 in force from 07.06.2022) (1) End customer can build energy sites for production of electricity from renewable sources on roof and facade structures of buildings connected to

the electricity transmission, electricity distribution or closed electricity distribution network and on real estate to them in urban areas the energy from which will be used only for own consumption, as the total installed capacity of the energy sites can be up to twice the amount of the provided capacity, but not more than 5 MW.

(2) In the cases under para. 1, the end customer shall submit a notification to the electricity transmission network operator or to the respective electricity distribution or closed distribution network operator.

(3) Within 14 days of receiving the notification under para. 2, the operator of the electricity transmission or of the respective electricity distribution or closed electricity distribution network shall provide an additional agreement to the contract for access and transmission of the end customer, which specifies the technical requirements for the scheme of connection of the energy site to the electrical system of the end customer and regulates the rights and obligations of the parties to ensure security of the electricity system to prevent electricity and network disruptions.

(4) The additional agreement under para. 3 shall be concluded before issuing a permit for construction of the energy site, in which case a connection opinion shall not be issued.

(5) An end customer may import the produced by the energy sites under para. 1 electricity in the respective network only after fulfillment of the requirements of the connection procedure as a producer according to the ordinance of Art. 116, para. 7 of the Energy Sector Act.

Art. 25b. (New - SG 47/25, in force from 10.06.2025) (1) The deadline for completing the procedures for issuing permits required under the current legislation for the construction, use or commissioning and connection of solar energy equipment and co-located energy storage facilities, including solar energy installations in buildings, in existing or future artificial structures, with the exception of artificial water areas, provided that the production of energy from solar energy or the storage of energy is not the main purpose of these artificial structures, shall be no more than three months.

(2) The deadline for completing the procedures for issuing permits required under the current legislation for the construction, use and connection of equipment for the production of electricity from solar energy with a total installed capacity of up to 20 kW, located in buildings, in existing or future artificial structures, with the exception of artificial water areas, including for consumers of their own electricity from renewable sources and renewable energy communities, shall be no more than one month.

(3) In the cases under Para. 2, failure of the body competent to issue the relevant administrative act under the Spatial Development Act within the statutory period, taking into account the starting date pursuant to Art. 22, Para. 8, shall be deemed tacit consent when the installed capacity of the equipment does not exceed the provided electrical capacity of the facility connected to the electricity grid for the consumption of electrical energy by an end customer.

Art. 25c. (New - SG 47/25, in force from 10.06.2025) (1) The deadline for completing the procedures for issuing permits required under the current legislation for the construction, use or commissioning and connection of heat pumps using geothermal energy with a total installed capacity of up to 50 MW shall be up to three months. In the other cases, for heat pumps with a total installed capacity of up to 50 MW, this deadline shall be up to one month. This deadline shall not include the design and construction of the connection facilities, the reconstruction and modernization of the electrical networks related to the connection of the heat pumps.

(2) An end customer may install in a building connected to the electricity distribution or closed electricity distribution network and on real estate connected to it in an urbanized area, a heat pump with:

1. electrical capacity up to 12 kW;

2. electrical power up to 50 kW, installed by a consumer of own energy from renewable sources, for which the electrical power of the installation for the production of electricity from renewable sources of the consumers of own electricity from renewable sources amounts to at least 60 percent of the electrical

power of the heat pump.

(3) In the cases under Para. 2, when there are reasonable concerns about safety or additional work is required for connection to the network, or there is a technical incompatibility of the network components, the end customer shall notify the operator of the electricity distribution or closed electricity distribution network.

(4) Within 14 days of receipt of notification under Para. 3, the operator of the electricity distribution network or the closed electricity distribution network shall decide whether it is necessary to connect the heat pump in accordance with the order under Art. 116, Para. 7 of the Energy Sector Act.

(5) The permits under Para. 1 shall be made public in accordance with the applicable legislation.

Art. 26. (Amend. – SG, 86/23, in force from 13.10.2023) (1) For the connection of energy facilities for the production of electrical energy from renewable sources, requests shall be submitted to study the conditions and method of connection before the relevant electricity network operator under the conditions and according to the Ordinance under Art. 116, Para. 7 of the Energy Sector Act.

(2) Producer of electric energy from renewable sources, including an end customer under Art. 18a, Para. 1, who envisages using produced energy for own consumption, shall indicate this in the request under Para. 1.

(3) The operator of the relevant electricity network shall carry out a study and issue an opinion on the conditions and method of connection under the conditions and according to the Ordinance under Art. 116, Para. 7 of the Energy Act. The opinion on joining shall include all the technical requirements for securing the joining of the energy site for production of electrical energy from renewable sources and an estimated price for the joining. The opinion shall be valid up to three months from provision of the guarantee under Art. 29, Para. 1.

(4) For the energy sites for production of electricity from renewable sources with a total installed capacity of up to 1 MW inclusive, which are planned to be built on roof and facade structures of buildings, connected to the electricity distribution or closed electricity distribution network and on real estates, attached to them in urbanized areas, the opinion under Para. 3 shall be issued by:

1. 15 days in the cases under Art. 27, Para. 5;

2. 20 days for energy sites with a total installed capacity of up to 30 kW inclusive, with the exception of the energy sites under item 1;

3. 40 days for energy facilities with a total installed capacity of 30 kW to 1 MW.

(5) When, in order to connect an energy site for production of electricity from renewable sources, it is necessary to carry out an extension and/or reconstruction of the electricity transmission or the corresponding electricity distribution network, the operator shall indicate this in the opinion under Para. 3, as well as the necessary terms for implementation of these activities. The expansion and/or reconstruction of the electricity transmission or the relevant electricity distribution network in these cases may only be related to ensuring the transmission capabilities of the relevant network for provision of access to the producer.

(6) (Suppl. - SG 47/25, in force from 10.06.2025) During the period of validity of the opinion under Para. 3, the producer shall submit a request to the relevant operator for the conclusion of a preliminary contract for connection under the conditions and according to the Ordinance under Art. 116, Para. 7 of the Energy Sector Act. The preliminary contract shall regulate the conditions for connection according to the issued opinion, the rights and obligations under and in connection with the design and construction of the connection facilities and/or the necessary extension and/or reconstruction of the relevant electricity distribution network to the place of connection and the preliminary price for connection. A draft preliminary contract shall be provided by the operator of the relevant electricity network within 15 days of receiving the producer's request. The term of the preliminary contract shall be 2 years, and for production facilities of electricity from wind power - three years.

(7) After entry into force of the permit for construction of the energy facility for the production

of electricity, with the exception of connection facilities, but no later than the date of expiry of the preliminary contract, the producer shall submit a request to the operator of the relevant electricity network to conclude of an accession agreement under the conditions and according to the Ordinance under Art. 116, Para. 7 of the Energy Sector Act. A draft connection contract shall be provided by the operator of the relevant electricity network within 15 days of receipt of the producer's request.

(8) When the producer does not submit a request for conclusion of a preliminary contract by the date of expiry of the validity period of the opinion, respectively does not submit a request for conclusion of a contract for accession by the date of expiry of the term of the preliminary contract, the accession procedure shall be terminated. The procedure shall also be terminated when the producer does not return to the operator the signed contract under Para. 6 and 7 within 15 days of receiving the project.

(9) The accession agreement shall define the term for accession, the amount and conditions for payment of the accession price and the responsibilities of the parties in case of non-compliance with the terms and conditions of the agreement. The price for connecting to the network shall be formed in accordance with the Ordinance under Art. 36, Para. 3 of the Energy Sector Act.

(10) The price for connecting a site for electricity production shall include costs for activities to increase the transmission capacity of the relevant electricity network in cases, where these activities are necessary for connecting the site and the operator's investment program does not provide for their implementation in the agreed terms for joining.

(11) When forming the connection price, costs of the relevant operator are included under Para. 10, the respective producer shall owe a part of the total costs, determined on the basis of the proportional ratio between the connected power of the site and the additional transmission possibilities, that will be provided in the respective network.

(12) The operator of the relevant electricity network shall begin the implementation of the design activities to increase the transmission capacity of the network according to Para. 10 within a three-month period from conclusion of the accession agreement, in which the same have been provided for. The construction and installation activities to increase the transmission capacity of the network shall begin after the conclusion of contracts for sites for production of electrical energy with a connected capacity of not less than 75 percent of the planned increase in the transmission capacity of the network. The design costs shall be subject to reimbursement to the operator also in the cases, in which the construction and installation activities are not carried out, due to non-fulfillment of the conditions under the previous sentence.

(13) A producer may fully pay the costs for the activities under Para. 10. In this case, when within 10 years of carrying out the activities under Para. 10, the operator uses the created free capacity to connect to another facility for the production of electricity, the price for connecting the facility shall include a part of the costs, incurred to increase the transmission capacity of the network, proportional to the connected power. Within three months of payment of the specified amount, the operator shall refund it to the producer, who has paid the price for joining the activities under Para. 10. In case the costs of increasing the transmission capacity of the network are paid by more than one producer, the operator shall distribute the amount in proportion to the payments, made by them.

(14) The operator of the relevant electricity network shall be obliged to place the energy facility in parallel with the electricity system within 14 days of putting the facility and the connection facilities into operation.

(15) (Amend. - SG 47/25, in force from 10.06.2025) The connection to the grid - other than a three-phase connection - of installations for the production of electricity from renewable sources, aggregated production units for consumers of their own electricity from renewable energy sources or demonstration projects with an installed electrical capacity of up to 10.8 kW inclusive of the production facilities, shall be carried out after a written notification to the operator of the relevant electricity distribution or closed electricity distribution network. In these cases, the general procedure for connection pursuant to the ordinance under Art. 116, Para. 7 of the Energy Sector Act shall not apply.

(16) (New - SG 47/25, in force from 10.06.2025) The notification under Para. 15 shall be submitted by a person holding real rights to build on the property where the electricity production facility has been or will be built, or by a person - owner, tenant or user of the property where a movable facility will be placed within the meaning of the Spatial Development Act. The notification shall state:

1. the name and location of the production facility (the address, the property where it will be built);
2. the term for putting the facility into operation;
3. the installed capacity, the maximum active power delivered to the relevant electricity network;
4. the type of renewable source;
5. the exact address for correspondence, telephone and fax, as well as the e-mail address of the person.

(17) (New – SG 47/25, in force from 10.06.2025) Documents certifying the circumstances under Para. 16, sentence one shall be attached to the notification.

(18) (New - SG 47/25, in force from 10.06.2025) The documentation required under the Spatial Development Act for the construction of the production facility depending on its type, including the construction permit, when its issuance is mandatory, shall be submitted to the operator of the relevant electricity distribution or closed electricity distribution network after its preparation, respectively after the entry into force of the construction permit.

(19) (New – SG 47/25, in force from 10.06.2025) Within 15 days of receipt of the notification under Para. 16, the operator of the electricity distribution or closed electricity distribution network may reject the request with reasons, or propose an alternative connection point to the electricity network on the basis of justified concerns regarding the safety or technical incompatibility of the network components, taking into account the security criteria set out in the rules under Art. 83, Para. 1, Item 5 of the Energy Sector Act. In the absence of a rejected request or proposed alternative connection point, within 30 days after receiving the notification under Para. 16, the operator of the electricity distribution or closed electricity distribution network shall issue a positive opinion. In the event of a positive opinion, the absence of an opinion within 30 days of receiving the notification under Para. 16, or in case the person who submitted the notification agrees with the alternative point of connection to the network proposed by the operator, the operator of the electricity distribution or closed electricity distribution network shall be obliged to connect the production facility, provided that the documents under Para. 18 have been submitted to him.

(20) (Previous Para. 16 – SG 47/25, in force from 10.06.2025) The term of the procedures for joining an energy facility from the submission of the request under Para. 1 until the conclusion of the accession contract shall be 6 months. This period does not include the design and construction of a facility for connection, reconstruction and modernization of the electrical networks, related to the construction of the relevant energy facility for the production of electrical energy from renewable sources. The deadline may be extended by the producer within the validity periods of the issued opinion to him and the concluded preliminary contract.

(21) (New – SG 47/25, in force from 10.06.2025) When the connection of energy facilities for the production of electricity from renewable sources, which are being built in a priority area or outside it, requires an expansion and/or reconstruction of the electricity transmission and/or the relevant electricity distribution network connecting them, the procedures under Chapter Six of the Environmental Protection Act and/or Art. 31 of the Biodiversity Act, if such are required, shall be limited to the potential significant impacts resulting from the change or expansion compared to the initial electricity transmission and/or relevant electricity distribution network.

Art. 26a. (New – SG, 86/23, in force from 13.10.2023) (1) When carrying out the modernization of a site for production of electrical energy from renewable sources, when the total installed capacity of the

object is not increased, procedure by accession shall not be held. In these cases, the producer shall notify the relevant electrical network operator about the change in the technical characteristics of the site.

(2) When carrying out the modernization of a site for production of electrical energy from renewable sources, where the total installed capacity is expected to increase by no more than 50 percent, compared to the existing installed capacity of the site:

1. the operators of the respective electricity networks shall consider a request of such a producer for connection with priority over submitted other requests for connection;

2. an opinion on accession shall be issued within one month from submission of the request by the producer and no preliminary contract shall be concluded; in cases, where the total connected power does not change, no guarantee shall be due under Art. 29, Para. 1;

3. an accession contract shall be concluded within 15 days from the submission of the request by the producer to conclude such a contract, upon issuance of a building permit, if such is required according to the Spatial Development Act;

4. the connection shall be made within the period, specified by the producer and through the existing connection facilities on the site, unless there is a technical impossibility for such connection.

(3) When the modernization of a site for the production of electrical energy from solar energy does not lead to the use of additional land properties and is in accordance with the applicable measures for protection of the environment and biological diversity, introduced for the existing site, no procedures under the Environment Protection Act and the Biological Diversity Act shall be carried out.

(4) (Amend. – SG 47/25, in force from 10.06.2025) When upgrading a site for production of electric energy from renewable sources, the procedures under Chapter Six of the Environmental Protection Act and/or Art. 31 of the Biodiversity Act shall apply, if such are required, and shall be limited to the potential significant impacts, resulting from the change or expansion compared to the original energy site.

(5) In the cases under Para. 1 and 2 of sites for the production of electrical energy from renewable sources, Art. 21, Para. 1, item 23 and Art. 53, Para. 5 of the Energy Sector Act shall not apply.

Art. 26b. (New – SG, 86/23, in force from 13.10.2023) When building additional facilities for production of electrical energy from renewable energy sources and/or storage of electrical energy to an energy facility, for which it is signed connection agreement without increasing the agreed connected power, the producer shall submit to the relevant network operator a request to sign an additional agreement to the preliminary agreement or the connection agreement without providing a guarantee under Art. 29, Para. 1. The operator of the respective network shall undertake to sign an additional agreement to the connection contract within 30 days of the producer's request.

Art. 27. (1) The costs of constructing facilities for connecting a producer's energy facility to the relevant network up to the property boundary of the electrical facilities are at the expense of the producer.

(2) The costs of constructing facilities for connecting the energy facility of a producer to the relevant network from the property boundary of the electrical facilities to the connection point, as well as for the development, including reconstruction and modernization, of the electrical networks in connection with the connection are at the expense of the owner of the relevant network.

(3) The border of ownership of the energy facility shall be determined according to the ordinance under Art. 116, Para. 7 of the Energy Sector Act. Where the place of joining does not coincide with the border of ownership of the energy facility, Art. 116, Para. 5 of the Energy Sector Act shall apply.

(4) The means for commercial measurement of the electric energy shall be placed on the border of ownership under Para. 3 of closest to it, according to the rules under Art. 83, Para. 1, p. 6 of the Energy Sector Act.

(5) (Suppl. – SG 29/12, in force from 10.04.2012, amend. – SG, 86/23, in force from 13.10.2023) The place of joining of the energy facilities under Art. 46, Para. 1, item 1 shall coincide with the site where the means for commercial measurement of the consumed electric energy is mounted, in case

where the installed capacities do not exceed the granted capacities for joining the building as a consumer site.

Art. 28. (1) (Amend. – SG, 86/23, in force from 13.10.2023) The operators of the transmission and distribution electric networks in relation to the implementation of the targets and measures, laid down in the Integrated plan in the field of energy and climate of the Republic of Bulgaria shall include in annual investment and repair programmes means for development of networks, related to the joining, transfer and distribution of the electric energy, produced from renewable sources.

(2) (Amend. - SG 17/15, in force from 06.03.2015) The operators of the transferable and distribution electric networks annually by 31 March shall report to EWRC about the implementation of the activities, laid down in the investment and repair programmes for development of networks under Para. 1 during the previous calendar year, about the targets of joining the energy sites for production of electric energy from renewable sources and in case of non-implementation – about the undertaken measures.

(3) (Amend. - SG 21/21, suppl. - SG, 86/23, in force from 13.10.2023) The reports under Para. 2 shall include information on the collected sums under Art. 29. Para. 1 and on their expenditure, as well as under Art. 30, Para. 7.

(4) In order to realize joint projects for production of electric energy from renewable sources between the Republic of Bulgaria and EU Member States or between the Republic of Bulgaria and third states, the owner of the transmission network shall include in his investment programmes means for building up the needed intersystem connections.

(5) (New – SG, 86/23, in force from 13.10.2023) The operator of the electricity transmission network and the operators of the electricity distribution networks shall create and maintain electronic public registers of submitted requests for connection to the respective network, which shall contain up-to-date data for:

1. the submitted requests for connection to the relevant network and the requested capacity;
2. the requests, submitted by the operators of the electricity distribution networks to the operator of the electricity transmission network for coordination of requests for connection of sites for production of electricity from renewable sources to the relevant distribution network and, accordingly, the contracts, concluded between the operators;
3. the status of the submitted applications (under examination procedure, opinion issued, term of validity of the opinion), concluded preliminary contracts and their term of validity, concluded accession contracts and the term of accession under them;
4. the technical data for the reconstruction of the network and the conditions, set for connection according to the issued opinions, the concluded preliminary contracts and the connection contracts;
5. the available free power for connection at each point of the electricity transmission, respectively electricity distribution network, reflected in a geographic information system.

(6) (New - SG 106/23, in force from 22.12.2023) Public registers under Para. 5 shall not contain commercial information of a sensitive nature. Access to all data for a specific connection procedure shall be granted only to the applicant for connection under that procedure.

Art. 29. (1) (Repealed – SG, 21/21, new – SG, 86/23, in force from 13.10.2023) Within a period of three months from receiving an opinion on the conditions and method of joining, according to submitted requests under Art. 26, Para. 1, the producer of electrical energy from renewable sources shall provide a guarantee in the form of a deposit or a bank guarantee in the amount of BGN 50,000 for each megawatt (MW) of connected power of the future energy facility in favour of the operator of the relevant electrical network. In the event, that the producer does not provide the due guarantee within the specified period, the opinion shall be considered invalid.

(2) (Repealed - SG 21/21, new – SG, 86/23, in force from 13.10.2023, suppl. - SG 106/23, in force from 22.12.2023) In the cases under Art. 26, Para. 8 or under Art. 26, Para. 4, item 1 or 2, in the event of failure to submit a request for the conclusion of an accession contract in time, the guarantee under Para. 1 shall be returned to the producer. When, with the written consent of the producer, expenses are incurred by the relevant operator for the connection of the site, the guarantee shall be absorbed up to the amount of the expenses incurred and unpaid by the producer.

(3) (Repealed - SG 21/21, new – SG, 86/23, in force from 13.10.2023) When concluding a preliminary agreement or an accession agreement, the guarantee under Para. 1 shall ensure the fulfillment of the obligations of the producer of electric energy in connection with the connection of the site.

(4) (Repealed - SG 21/21, new – SG, 86/23, in force from 13.10.2023) The guarantee, provided by the producer shall be released upon the connection of the site, and the relevant operator may carry out a set-off with the price due by the producer for connection up to the amount of the smaller of the two counter-obligations.

(5) (Amend. - SG, 86/23, in force from 13.10.2023) Guarantee under Para. 1 shall not be provided by persons under Art. 26, Para. 15 and by producers under Art. 26a, when the total connected power does not change.

(6) (Amend. – SG 29/12, in force from 10.04.2012, repealed, - SG, 86/23, in force from 13.10.2023).

(7) (Repealed - SG, 86/23, in force from 13.10.2023).

(8) (Amend. - SG 21/21, repealed, - SG, 86/23, in force from 13.10.2023).

(9) (Amend. - SG 17/15, in force from 06.03.2015, repealed, - SG, 86/23, in force from 13.10.2023).

(10) (Repealed - SG, 86/23, in force from 13.10.2023).

(11) (Amend. - SG 17/15, in force from 06.03.2015, amend. - SG 21/21, amend. - SG, 86/23, in force from 13.10.2023) The EWRC shall draw up a report by June 30, 2011, and every two years thereon, on the observation of the rules for covering the costs according to Art. 27 and if needed, shall make proposals for their amendment. The report shall be published on the Commission's website.

### **Section III.**

#### **Buying, transmission and distribution of electric energy from renewable sources**

Art. 30. (1) (Amend. - SG 17/15, in force from 06.03.2015, amend. – SG, 86/23, in force from 13.10.2023) Producers of electric energy from renewable sources, whose energy sites are with total installed power above 30 kW, shall sign a contract for access to the operator of the transferable or distribution network under general conditions, approved by EWRC and published on the internet site of the operator of the relevant distribution network before signing the contract for buying the electric energy.

(2) (Amend. - SG 17/15, in force from 06.03.2015) Producers of electric energy from renewable sources, whose energy sites are with total installed power up to 30kW including, shall use distribution networks, to which have been joined, under general conditions, approved by EWRC and published on the internet site of the operator of the relevant distribution network.

(3) The access contract under Para. 1 shall determine the conditions on implementation of the forecast time limits under Para. 1 and shall agree the owed by the operator compensations at limiting the production regime of the energy site, with the exception of the cases of planned repairs, as well as with the exception of the cases under Art. 72 and 73 of the Energy Sector Act. In the cases, where the network is not owed by the relevant operator, compensations shall be agreed in a contract between the owner of this network and the producer of electric energy from renewable sources.

(4) (Amend. - SG 17/15, in force from 06.03.2015) The producer of electric energy from

renewable sources with installed power above 200 kW shall provide submission of data in real time to the operator of the transferable or of the distribution electric network about the supplied electric power in the location of joining electric power, as well as remote control of this power. The operators of the distribution electric network shall transmit to the operator of the transmission electric network summarized data in real time delivered at the point of connection of electrical power in areas of accession from various renewable sources with installed capacity over 200 kW.

(5) (Amend. - SG 17/15, in force from 06.03.2015) The operator of the transmission or distribution electric network shall limit remotely or by dispatcher's order the energy transferred to the electric network in those cases where the transmission capacity of the network, to which the producer is connected are exceeded or in the cases provided for in Art. 73 of the Energy Sector Act.

(6) (Amend. - SG 17/15, in force from 06.03.2015) The operator of the transmission or distribution electric network shall, in a manner specified in the access agreement, notify immediately the producer of electric energy from renewable sources of any forthcoming restrictions, indicating date and time of the introduction and the relevant coverage.

(7) (Amend. - SG 17/15, in force from 06.03.2015) The operator of the transmission or distribution electric network shall report to EWRC every 6 months about the cases of substantial decreasing of the quantities transferred and distributed electric energy from renewable sources and the undertaken by him concrete measures for preventing decreasing of these quantities, under conditions and procedure, determined by the ordinance under Art. 60 of the Energy Sector Act.

Art. 31. (1) (Amend. – SG 29/12, in force from 10.04.2012; amend. - SG 17/15, in force from 06.03.2015, amend. - SG 38/18, in force from 01.07.2018, amend. - SG 41/19, in force from 01.07.2019, amend. – SG 9/21, in force from 02.02.2021, amend. – SG, 86/23, in force from 13.10.2023) The public supplier, respectively the end providers shall buy under the signed contracts electric energy from renewable sources, produced from energy facilities with a total installed capacity of less than 500 kW, under the determined by EWRC preferential price, acting on the date of entry into operation in the sense of the Spatial Development Act of the energy facility for production of electric power, and for the sites referred to in Art. 6, Para. 1, Item 1 – at the date of filing the application for performed mounting of a power production facility, submitted to the distribution enterprise as set out in the ordinance referred to in Art. 116, Para 7 of the Energy Sector Act.

(2) The electric energy from renewable sources under Para. 1 shall be bought on the basis of signed long-term contracts for buying for the term of:

1. 20 years – for electric energy, produced from geo-thermal and solar energy, as well as for electric energy, produced from biomass;

2. 12 years – for electric energy, produced from wind energy;

3. 15 years – for electric energy, produced from waterpower stations with installed power up to 10 MW, as well as for electric energy, produced from other kinds renewable sources.

(3) (Amend. – SG 29/12, in force from 10.04.2012, amend. – SG, 86/23, in force from 13.10.2023) The time limits under Para. 2 shall run from the date of entry into operation of the energy site, respectively the date of entry into operation of the first stage, in cases of staged entry into operation, and for the sites under Art. 6, Para. 1, Item 1 – from the date of signing a contract for purchase of electric power. For energy sites, entered into operation after December 31, 2015, the time limits for purchasing shall be reduced with the time form this date till the date of entry into operation, respectively from the mounting.

(4) The price of the electric energy from renewable sources shall not change for the term of the contract for buying under Para. 2, unless in the cases under Art. 32, Para. 4, where after expiry of this term, preferences about the prices shall not be provided.

(5) (Amend. – SG 29/12, in force from 10.04.2012; amend. – SG 109/13, in force from

01.01.2014; amend. - SG 56/15, in force from 24.07.2015) The public provider, respectively, the end providers shall buy up the generated electric energy from renewable sources under the following terms and conditions:

1. (amend. – SG, 86/23, in force from 13.10.2023) at a preferential price for the quantities of specific net electricity production based on which preferential prices are fixed in the respective decisions of the EWRC; the set specific net electricity production shall not apply to combined cycle energy facilities and indirect biomass use, built in urbanized areas, agricultural sites or production areas and which have an installed capacity of up to 500 kW, which use:

a) biomass, of which the total weight animal manure is not less than 60 percent, for which the installed power is proven according to the Ordinance under Art. 116, Para. 7 of the Energy Sector Act;

b) biomass from plant waste from own agricultural production;

2. at a price for excess of the balancing market as regards to the quantities exceeding production under item 1.

(6) While producing electric energy through combined using renewable sources and non-renewable sources, the prices under Para. 1 and the obligation for buying under Para. 5 shall refer only to the energy, responding to the share of the invested quantity renewable sources.

(7) (Amend. – SG 29/12, in force from 10.04.201, amend. – SG, 86/23, in force from 13.10.2023) The provisions of Para. 1 – 6 shall not apply to energy sites for production of electric energy from renewable sources.

(8) (Amend. – SG 29/12, in force from 10.04.2012; amend. - SG 17/15, in force from 06.03.2015) Where the investment for building up the energy site for production of electric energy from renewable sources is supported by means from the national or the European supporting schemes, the electric energy shall be bought by the public provider or the relevant end provider according to groups of prices, determined by the EWRC, under the conditions and procedure of the relevant ordinance under Art. 36, Para. 3 of the Energy Sector Act.

(9) (Amend. - SG 17/15, in force from 06.03.2015, repealed – SG, 86/23, in force from 13.10.2023)

(10) (Amend. – SG 29/12, in force from 10.04.2012) The entry into operation of the energy sites under Para 1 shall be carried out as set out in the ordinance referred to in Art. 177, Para 2 of the Spatial Development Act, and within 30 days from the date of filing of a request, accompanied by the respective documents, including for taken 72-hour samples.

(11) (Amend. – SG 29/12, in force from 10.04.2012; amend. - SG 17/15, in force from 06.03.2015) When it is planned that individual parts of the energy facility will be put into operation in stages, the purchase price of the electric power shall be changed at the entry into operation at each subsequent stage and it shall be a weighted average of the corresponding installed capacity between the repurchase price at the date of entry into operation of the corresponding part and the preferential price set by the EWRC at that date and is determined by a methodology adopted by the EWRC.

(12) (New - SG 56/15, in force from 24.07.2015) The quantities of electrical power exceeding those under Para 5, item 1 can be used by the producers for supply of their branches, enterprises and sites or to be sold at freely negotiated prices under the Chapter Nine, Section VII of the Energy Sector Act and/or on the balancing market.

(13) (New - SG 56/15, in force from 24.07.2015) As for the quantities of electrical power under Para 5, the trading schedules (TPS) of balancing groups with members of producers of electricity from renewable sources, can be changed only by the order of Art. 73 of the Energy Sector Act.

(14) (New - SG 38/18, in force from 01.07.2018, suppl. - SG 41/19, in force from 01.07.2019, amend. - SG, 86/23, in force from 13.10.2023) In case where, in relation to an energy facility for the production of electrical energy from renewable sources, with the exception of solar energy, for which there is a contract under Para. 1, reconstruction and/or modernization has been carried out which requires putting

into operation within the meaning of the Spatial Development Act, electrical energy shall be purchased at a preferential price for the quantities up to the amount of the determined net specific production for the installed capacity before the reconstruction and/or modernization. When the energy object is for the production of electrical energy from solar energy, from the moment of putting into operation the reconstruction and/or modernization, the public supplier or the final supplier shall buy at a preferential price the quantities of electrical energy up to the amount of 90 percent of the net specific production of electrical energy, on the basis of which the preferential prices were determined in the relevant decisions of CEWR for the installed capacity before their implementation.

(15) (New - SG, 86/23, in force from 13.10.2023) The public supplier and the final suppliers shall not buy at preferential prices the electric energy from the producers under Para. 1, when the producer is an enterprise in difficulty according to the Guidelines for state aid for the recovery and restructuring of non-financial enterprises in difficulty of the European Commission (OJ, C 249/01 of July 31, 2014).

(16) (New - SG, 86/23, in force from 13.10.2023) To prove the absence of a circumstance under Para. 15, the producer shall submit a declaration, that it is not an enterprise in difficulty, according to the Guidelines for state aid for the recovery and restructuring of non-financial enterprises in difficulty.

(17) (New - SG, 86/23, in force from 13.10.2023) When the Minister of Energy determines, that the electrical energy is purchased from a producer under Para. 1 at a preferential price, that was not applied in accordance with the provisions of this Act and the Energy Sector Act, he shall notify the public supplier or the relevant final supplier, indicating the preferential price, that was applicable according to the legal provisions.

(18) (New - SG, 86/23, in force from 13.10.2023) In the cases under Para. 17, after the date of receipt of the notification, the public supplier or the relevant final supplier shall take action to bring the amount of the preferential price, paid under the purchase contract under Para. 2 in accordance with the applicable preferential price, specified in the notification, about which the Power System Security Fund shall be notified and provided with information in connection with establishing the amount of funds, taken from the producer, and their reimbursement in accordance with Art. 36h of the Energy Sector Act.

Art. 32. (1) (Amend. – SG 54/12, in force from 17.07.2012; amend. - SG 17/15, in force from 06.03.2015) The EWRC shall determine preferential prices for buying electric energy, produced from renewable sources, with the exception of the energy, produced from waterpower stations with installed power above 10 MW:

1. annually by June 30;
2. where, it has been found a significant change in the price forming elements under Para. 2 as a result from an analysis carried out.

(2) The preferential prices under Para. 1 shall be determined as provided by the relevant ordinance under Art. 36, Para. 3 of the Energy Sector Act, where the type of the renewable source, the types of the technologies, the installed power of the site, the place and way of mounting of the equipment shall be considered, as well as:

1. the investment costs;
2. the norm of regained;
3. the structure of the capital of the investment;
4. the productivity of the installation according to the type technology and the used resources;
5. the costs, related to a higher level of environment protection;
6. the costs for raw materials for production of energy;
7. the costs for fuels for transport;
8. the costs for labour and work salaries;
9. other exploitation costs.

(3) The preferential price of the electric energy from renewable sources shall be determined for the whole term of the contract for buying under Art. 31, Para. 2, where after expiry of this term, preferences for buying shall not be provided.

(4) (Amend. - SG 17/15, in force from 06.03.2015) The EWRC every year by 30 June shall update the preferential price of the electric energy, produced from biomass with a coefficient, reflecting the alteration of the value of the price-forming elements under Para. 2, p. 6, 7 and 8.

(5) The coefficient, reflecting the alteration of the value of the price-forming elements under Para. 2, p. 6 7 and 8 shall be determined as a product from:

1. the alteration of the costs for raw materials for production of electric energy from biomass, of the costs for fuels for transport, needed for supply of the raw material for production of electric energy and of the costs for labour and work salaries, needed for obtaining and processing the raw materials for production of electric energy and production of electric energy from renewable sources, expressed in percentage, and

2. the share of the relevant price-forming element of the total costs, expressed in percentage.

(6) (Amend. - SG 17/15, in force from 06.03.2015, amend. – SG 58/17, in force from 18.07.2017, amend. – SG 102/22, in force from 01.01.2023, suppl. – SG, 86/23, in force from 13.10.2023) The percentage of alteration of the costs for the raw materials for production of electric energy from biomass shall be determined by EWRC, taking into consideration the determined and published by the Minister of Agriculture and Food annual indexes for alteration of prices of these raw materials.

(7) The percentage of alteration of the costs for fuels for transport shall be determined on the basis of the average market price of the relevant price-forming element for the previous reported year.

(8) The percentage of alteration of the costs for labour and work salaries shall be determined on the basis of the data of the National Statistical Institute for the alteration of the average labour salary for the previous calendar year.

## **Section IV.**

### **Guaranties for Origin of the Energy From Renewable Sources**

Art. 33. (Suppl. – SG, 86/23, in force from 13.10.2023) The activities for issuing, transfer and repeal of the guaranties for origin of the energy from renewable sources shall be done by ASED, in accordance with the CEN - EN 16325 standard.

Art. 34. (1) (Suppl. - SG 38/18, in force from 01.07.2018) Guaranty for origin shall be issued to a producer for produced standard quantity energy of 1MWh, shall be valid for the term of 12 months from the production of the relevant unit energy and shall contain at least the following information:

1. the renewable source, used for production of the energy;
2. the initial and final data of production of the energy from renewable sources;
3. (amend. - SG, 86/23, in force from 13.10.2023) information for production of:
  - a) electric energy;
  - b) heat or cooling energy;
  - c) biogas;
  - d) green hydrogen;
4. name, location, type and total installed power for the energy site, where the energy has been produced;
5. used supporting schemes;
6. date of introducing the energy site in exploitation;
7. data and place of issuing;

8. unique identification number.

(2) For each unit produced energy may be issued only one guaranty of origin.

(3) (Suppl. - SG, 86/23, in force from 13.10.2023) Issuing, transfer and repeal of the guaranty for origin shall be done in an electronic way and is entered into a unified electronic register of guarantees of origin, which is created and maintained by ASED.

(4) (Suppl. - SG 38/18, in force from 01.07.2018, amend. - SG, 86/23, in force from 13.10.2023) The guarantee of origin may not be transferred after the expiry of the term under Para. 1. The guarantee of origin, which has not been transferred to the end customer after expiration of the term under Para. 1, may be used by the supplier within 18 months from the production of the relevant unit of energy to prove the share of energy from renewable sources in its total energy composition.

(5) (Amend. - SG 35/15, in force from 15.05.2015, suppl. - SG, 86/23, in force from 13.10.2023) Guarantees of origin shall be issued and transferred, including from the unified electronic register under Para. 3, to the register of another Member State or to an end customer in another Member State against payment of a charge, determined by the tariff under Art. 75, Para. 1 of the Energy Efficiency Act.

(6) (Amend. - SG 38/18, in force from 01.07.2018, amend. - SG, 86/23, in force from 13.10.2023) Guarantees of origin shall be used to prove to a final customer, that a certain share of energy or amount of energy in the total energy mix of the supplier and in the energy supplied to customers under contracts, offered as including energy from renewable sources has been produced from renewable sources. These guaranties shall be voidable at the supplier's request. The amount of energy from renewable sources, corresponding to guarantees of origin, transferred to a third party by the electricity supplier shall be subtracted from the share of energy from renewable sources in its energy mix. Unused guarantees of origin up to 18 months from the production of the respective unit of energy shall be used in the calculation of the residual energy mix of the Republic of Bulgaria.

(7) (New - SG 38/18, in force from 01.07.2018, amend. - SG, 86/23, in force from 13.10.2023) The guarantees of origin shall also be used to determine the share of energy from renewable sources in the total delivered energy from a certain supplier in the previous calendar year, according to Art. 38b, item 5 of the Energy Sector Act.

(8) (New – SG 47/25, in force from 10.06.2025) When a producer receives financial support from schemes for supporting the production of energy from renewable sources, provided for in this Act, the Energy Sector Act or through European Union funding programs, the producer shall apply for the issuance of guarantees of origin for the energy produced and shall transfer them to the relevant supplier or end customer who purchased the given amount of energy, without additional payment. Once transferred, the guarantees shall be cancelled and shall serve to prove the share of energy from renewable sources in the energy mix of the supplier or end customer.

(9) (New – SG 47/25, in force from 10.06.2025) When the scheme for supporting the production of energy from renewable sources is implemented through direct negotiation of the producer with the Electricity System Security Fund or through another mechanism through which producers receive support directly from the fund, the producer shall declare the issuance of guarantees of origin for the produced energy and transfer them to the Electricity System Security Fund without additional payment. After the expiry of the period under Para. 1, the guarantees shall be cancelled and included in the residual energy mix of the Republic of Bulgaria.

(10) (New – SG 29/12, in force from 10.04.2012, prev. para. 7, amend. and suppl. - SG 38/18, in force from 01.07.2018, prev. Para. 8 – SG 47/25, in force from 10.06.2025) For the purchased energy under Art. 31, Para 5, item 1 the producers shall apply for the issue of guarantees of origin and shall transfer them to the public supplier, respectively the end-supplier.

(11) (New - SG, 86/23, in force from 13.10.2023, prev. Para. 9 – SG 47/25, in force from 10.06.2025) The guarantee of origin may be transferred independently of the energy, but only once, to an end customer. Once transferred to the end customer, the guaranty shall be void. For the purposes of Art. 38b,

item 5 of the Energy Sector Act, electricity suppliers shall cancel guarantees of origin no later than 6 months after the end of their validity.

Art. 35. (1) The ASED shall recognize the guaranties for origin, issued by the competent authorities in the other EU Member States.

(2) The ASED may refuse to recognize the guaranties for origin, issued by the competent authorities in the other EU Member States, where some of the requirements of Art. 34, Para. 1 has not been fulfilled.

(3) (Suppl. - SG, 86/23, in force from 13.10.2023) The guaranties for origin, issued by the other EU Member States shall be recognized in caste that after notification of the circumstances under Para. 2, the European Commission adopts a decision, requesting these guaranties to be recognized. The issuance, transfer, cancellation and recognition of guarantees of origin shall be carried out electronically by entering the guarantees of origin in the unified electronic register under Art. 34, Para. 3.

(4) (Amend. - SG 59/13, in force from 05.07.2013; amend. - SG 14/15, amend. - SG, 86/23, in force from 13.10.2023) The conditions and procedure for entry in the unified register under Art. 34, Para. 3, issuance, transfer, cancellation and recognition of guarantees of origin shall be determined by an Ordinance of the Minister of Energy.

(5) (New - SG, 86/23, in force from 13.10.2023) The Agency for Sustainable Energy Development shall not recognize guarantees of origin, issued by a third country, except where the European Union has entered into an agreement with that third country on the joint recognition of guarantees of origin, issued respectively in the European Union and by comparable systems in that third country, and only in cases of direct import or export of energy.

## Section V.

### **Fee for generating electrical energy from wind and solar energy (New – SG 109/2013, in force from 01.01.2014)**

Art. 35a. (New - SG 109/13, in force from 01.01.2014, declared anti-constitutional by a Decision of the Constitutional Court No. 13 of 2014 – SG 65/14) (1) **A fee shall be payable for the generation of electrical energy from wind and solar energy.**

(2) (Declared anti-constitutional by a Decision of the Constitutional Court No. 13 of 2014 – SG 65/14) **The amount of the fee under par. 1 shall be calculated by the following formula:  $FGEE = PP \times QPEE \times 20 \%$ ,**

**where:**

**FGEE is a fee for generation of electrical energy;**

**PP is the preferential price under Art. 31, par. 1, value added tax exclusive;**

**QPEE is the quantity of electrical energy purchased by the public provided and by the end suppliers under Art. 31, par. 5.**

(3) (Declared anti-constitutional by a Decision of the Constitutional Court No. 13 of 2014 – SG 65/14) **Producers of electrical energy from wind and solar energy shall be liable to pay the fee referred to in par. 1.**

Art. 35b. (New – SG 109/13, in force from 01.01.2014, declared anti-constitutional by a Decision of the Constitutional Court No. 13 of 2014 – SG 65/14) (1) **The fee under Art. 35a shall be deducted and paid by the public supplier, respectively by the end supplier.**

(2) (Declared anti-constitutional by a Decision of the Constitutional Court No. 13 of 2014 – SG

65/14) The persons obliged to deduct and pay the fee under this Section, shall submit a quarterly statement in a standard form approved by the SCEWR about the due fee for the respective period.

(3) (Declared anti-constitutional by a Decision of the Constitutional Court No. 13 of 2014 – SG 65/14) The statement under par. 2 shall be submitted to the SCEWR by the 15th day of the month following the referenced quarter.

(4) (Declared anti-constitutional by a Decision of the Constitutional Court No. 13 of 2014 – SG 65/14) The due fee shall be deposited to the state budget within the term for submission of the statement referred to in par. 3.

Art. 35c. (New – SG 109/13, in force from 01.01.2014, declared anti-constitutional by a Decision of the Constitutional Court No. 13 of 2014 – SG 65/14) (1) On the fee under Art. 35a which is not paid within the set time interest shall be calculated and become payable equal to the fixed interest according to the Act of interest on taxes, fees and other state takings.

(2) (Declared anti-constitutional by a Decision of the Constitutional Court No. 13 of 2014 – SG 65/14) The fee under Art. 35a shall not be subject to refund.

(3) (Declared anti-constitutional by a Decision of the Constitutional Court No. 13 of 2014 – SG 65/14) The overdue fee under Art. 35a shall be subject to enforced collection by a public bailiff subject to compliance with the provisions of the Code of Tax Insurance Procedure. The act of settlement of the takings shall be issued by the Chair of the SCEWR.

## **Chapter five.**

### **PRODUCTION AND CONSUMPTION OF ENERGY FROM RENEWABLE SOURCES IN TRANSPORT, RENEWABLE LIQUID AND GASEOUS TRANSPORTATION FUELS OF NON-BIOLOGICAL ORIGIN, RECYCLED FUEL IN TRANSPORT, BIOMASS FUELS, ELECTRICAL ENERGY FROM GASEOUS AND SOLID BIOMASS FUELS (TITLE AMEND. – SG, 86/23, IN FORCE FROM 13.10.2023)**

#### **Section I.**

#### **General Provisions**

Art. 36. (1) (Amend. and suppl. – SG, 86/23, effective from 13.10.2023) Production and consumption of biofuels, liquid biomass fuels, gaseous and solid biomass fuels, renewable liquid and gaseous transport fuels of non-biological origin and recycled transport fuels shall be promoted by:

1. (amend. – SG 91/18, amend. – SG, 86/23, effective from 13.10.2023) accessibility of the fuels;

2. providing effective operation of the motors while observing the technical and quality norms for production of biofuels;

3. offering mixtures of biofuels as compound part of the liquid fuels of petrol origin for internal-combustion engines;

4. (amend. – SG, 86/23, effective from 13.10.2023) sustainable development of forestry, agriculture and fisheries and aquacultures;

5. (amend. – SG, 86/23, effective from 13.10.2023) development and introducing new technologies for using wastes, residues, non-food cellulose and lingo-cellulose materials;

6. development and introduction of electric cars in the public and personal transport;

7. (amend. – SG, 86/23, effective from 13.10.2023) building up infrastructure for charging the

electric cars while building new or reconstruction of existing car parks in urban territories;

8. building up infrastructure for charging electric cars outside the urban territories;

9. (repealed - SG, 86/23, effective from 13.10.2023)

(2) (Repealed - SG, 86/23, effective from 13.10.2023)

(3) (Amend. - SG, 86/23, effective from 13.10.2023). Financial support for consumption of biofuels, liquid biomass fuels and gaseous and solid biomass fuels shall be granted only when they meet the sustainability criteria and the criteria for reducing greenhouse gas emissions and when for energy from renewable sources, produced by incineration of waste, the obligations for separate collection of waste, according to the Waste Management Act and the legislative normative acts on its implementation have been complied with.

(4) (Repealed - SG, 86/23, effective from 13.10.2023)

Art. 37. (Amend. - SG, 86/23, in force from 13.10.2023) (1) Biofuels, liquid fuels from biomass and gaseous and solid fuels from biomass, produced from waste and agricultural land residues, shall be considered for the purposes of Art. 12, Para. 1 and 5 and for their consumption financial support may be provided only on the condition, that they meet the sustainability criteria and the criteria for reducing greenhouse gas emissions, determined under Para. 3 - 13.

(2) Biofuels, liquid fuels from biomass and gaseous and solid fuels from biomass, produced from waste and residues, other than residues from forestry, agriculture and fisheries and aquaculture, which are reported for the purposes of Art. 12, Para. 1 and 5, and for the consumption of which financial support is provided, must meet only the criteria for reducing greenhouse gas emissions, determined under Para. 10 - 12. Waste and residues, that are initially processed to obtain an intermediate product before being further processed into biofuels, liquid biomass fuels and gaseous and solid biomass fuels must also meet these criteria and requirements.

(3) Biofuels, liquid fuels from biomass and gaseous and solid fuels from biomass, produced from waste and residues of agricultural lands, shall be taken into account for the purposes of Art. 12, Para. 1 and 5 and financial support may be provided for their consumption when they correspond to Chapter Six "Soil Monitoring" of the Soils Act.

(4) Biofuels, liquid biomass fuels and gaseous and solid biomass fuels, produced from agricultural biomass, which are reported for the purposes of Art. 12, Para. 1 and 5 and for their consumption financial support may be provided, they must not be produced from raw materials:

1. originating from areas of great importance for biodiversity, namely - protected areas within the meaning of the Protected Areas Act and protected areas of the National Ecological Network "Natura 2000";

2. grown on terrain with high carbon stocks, except when the raw material is harvested from terrain that, at the time of its extraction in January 2008, had the status of terrain with high carbon stocks;

3. obtained from raw material, grown on land that was peatland in January 2008, except where evidence is provided, that the cultivation and extraction of the raw material does not require drainage of the previously undrained soil;

(5) Biofuels, liquid biomass fuels and gaseous and solid biomass fuels, produced from forestry biomass shall be reported for the purposes of Art. 12, Para. 1 and 5 and financial support may be provided for their consumption, when they comply with the following criteria for minimizing the risk of using forestry biomass, obtained as a result of unsustainable production:

1. the country, where the forestry biomass is harvested shall have relevant laws at national or sub-national level, applicable in the area of harvest, as well as monitoring and enforcement systems in place, that ensure that:

a) logging activities are lawful;

- b) reforestation is carried out in the logging areas;
- c) areas, designated under international or national law or by the relevant competent authority for nature conservation purposes, including wetlands and peatlands, are protected;
- d) logging is carried out in a manner, that is consistent with the preservation of soil quality and biodiversity in order to minimize negative impacts, and

e) logging preserves or improves the long-term harvesting capacity of the forest;

2. when data under item 1 is missing, management systems should exist at the level of timber supply areas to ensure that:

a) logging activities are lawful;

b) forests in logging areas are regenerated;

c) areas, designated under international or national law or by the relevant competent authority for the purposes of nature conservation, including wetlands and peatlands, are protected, unless evidence is provided, that the extraction of these raw materials does not conflict with these conservation objectives of nature;

d) logging is carried out in a manner, that is consistent with the preservation of soil quality and biodiversity, with the aim of reducing the harmful impact, and

e) logging preserves or improves the long-term capacity of the forest for logging.

(6) Biofuels, liquid biomass fuels and gaseous and solid biomass fuels, produced from forestry biomass have been reported for the purposes of Art. 12, Para. 1 and 5 and financial support may be provided for their consumption, when they meet the following criteria in relation to land use, land use changes and forestry:

1. the country or regional economic integration organization, from which the forestry biomass originates:

a) it is a party to the Paris Agreement to the United Nations Framework Convention on Climate Change (ratified by an Act – SG, 86/16) (SG, 2/17), hereinafter referred to as " the Paris Agreement";

b) it has made a nationally determined contribution to the United Nations Framework Convention on Climate Change (ratified by an Act – SG, 28/95) (SG, 68/05), covering emissions and removals from agriculture, forestry and land use, which ensures that changes in carbon stocks, related to biomass production are accounted for against the relevant country's commitment to reduce or limit greenhouse gas emissions, specified in a nationally determined contribution, or

c) there are laws at the national or subnational level in accordance with Art. 5 of the Paris Agreement, applicable in the logging area, which relate to the conservation or enhancement of carbon stocks and carbon sinks and which show, that reported emissions from land use, land use change and forestry do not exceed removals;

2. when the data, referred to in item 1 are missing, management systems exist at the level of timber supply areas, guaranteeing the preservation or improvement of the levels of carbon stocks and carbon sinks in the long term.

(7) Biofuels, liquid biomass fuels and gaseous and solid biomass fuels shall be accounted for the purposes of Art. 12, Para. 1 and 5 and for their consumption, financial support may be provided only when the reduction of greenhouse gas emissions is:

1. at least 50 percent for biofuels, biogas consumed in the transport sector and biomass liquid fuels, produced in installations put into operation before, or on 5 October 2015;

2. at least 60 percent for biofuels, biogas consumed in the transport sector and liquid biomass fuels, produced in installations put into operation from October 6, 2015 to December 31, 2020;

3. at least 65 percent for biofuels, biogas consumed in the transport sector and liquid biomass fuels, produced in installations put into operation from 1 January 2021;

4. at least 70 percent for the production of electrical energy, heat and cooling energy from gaseous and solid biomass fuels, used in installations, put into operation from January 1, 2021 to December

31, 2025, and respectively 80 per hundred for installations, put into operation from January 1, 2026.

(8) An installation shall be considered to have been put into operation after the production of biofuels, biogas used in transport and biomass liquid fuels has started and, accordingly, after the production of heat and cooling energy and electricity energy from gaseous and solid biomass fuels has started.

(9) The reduction of greenhouse gas emissions from the use of biofuels and biogas consumed in transport, liquid fuels from biomass and gaseous and solid fuels from biomass in installations producing heat and cooling energy and electrical energy shall be calculated according to the methodology under Art. 44, Para. 3.

(10) The electrical energy, produced from gaseous and solid biomass fuels shall be accounted for the purposes of Art. 12, Para. 1 and 5 and for its consumption, financial support may only be provided, when it meets one or more of the following requirements:

1. it was produced in an installation with a total nominal heat output below 50 MW;
2. it has been produced in an installation with a total rated thermal output of 50 MW to 100 MW, using highly efficient combined heat and power generation or in a power generation installation, in which the energy efficiency level for the best available techniques has been met, defined in Commission Implementing Decision (EU) 2017/1442 of 31 July 2017 on the formulation of conclusions on best available techniques (BAT) for large combustion plants under Directive 2010/75/EU of the European Parliament and of the Council ( OJ, L 212/1 of 17 August 2017);
3. it is produced in an installation with a total rated thermal output of more than 100 MW, using highly efficient combined heat and power generation or in an electric power generation installation, in which at least 36 percent net electrical efficiency has been achieved;
4. it is produced by a biomass installation, in which carbon dioxide capture and storage is applied.

(11) For the purposes of Art. 12, Para. 1 and 5 and when providing financial support for consumption, installations producing only electricity shall be taken into account only when they do not use fossil fuels as the main fuel and only when there is no cost-effective potential for the application of high-efficiency combined energy production technology according to the assessment according to Art. 4, Para. 2, item 11, letter "a" of the Energy Sector Act.

(12) For the purposes of Art. 12, Para. 1 and 5, the requirements under Para. 10 and 11 shall apply to installations, put into operation or reconstructed so as to use gaseous and solid fuels from biomass, after December 25, 2021. When providing financial support for consumption, the requirements under Para. 10 and 11 shall apply to support schemes, approved after 25 December 2021.

(13) The requirements under Para. 10 shall not apply to electricity from installations that are subject to a specific notification to the European Commission, based on duly justified risks to the security of electricity supply.

(14) The criteria for reducing greenhouse gas emissions under Para. 7 shall not apply to electrical energy, heat and cooling energy, produced from municipal solid waste.

(15) Gaseous and solid biomass fuels, used in installations for the production of electricity, heat and cooling energy, or fuels with a total rated thermal output, greater than or equal to 20 MW for solid biomass fuels and with a total rated thermal power, greater than or equal to 2 MW for gaseous fuels from biomass must comply with the criteria for sustainability and the criteria for reducing greenhouse gas emissions, determined under Para. 3 - 13.

(16) The reduction of greenhouse gas emissions, when using renewable liquid and gaseous transport fuels of non-biological origin shall be at least 70 percent as of January 1, 2021.

(17) The sustainability criteria and the criteria for reducing greenhouse gas emissions under Para. 3 - 13 shall apply regardless of the geographical origin of the biomass used.

(18) For the purposes of Art. 12, Para. 1 and 5 and when providing financial support, the reporting may not be refused for other reasons, related to the sustainability criteria of biofuels, liquid fuels

from biomass and gaseous and solid fuels from biomass, which have been obtained in accordance with the requirements of Para. 1 - 8. This shall not refer to public support, provided under support schemes, approved before 24 December 2018.

Art. 38. (Repealed – SG, 86/23, in force from 13.10.2023)

Art. 39. (1) (Amend. – SG, 86/23, in force from 13.10.2023) Economic operators should not prove, and the Minister of Environment and Water shall not require proof of the relevant circumstances, when the European Commission adopts a decision, according to which:

1. a voluntary national or international scheme to establish standards for the production of biofuels, liquid biomass fuels or gaseous and solid biomass fuels or other fuels, that are counted in the amount of energy from renewable sources, provides accurate data on the reduction of greenhouse gas emissions for the purposes according to Art. 37, Para. 7 - 9 and 16;

2. a voluntary national or international scheme to establish standards for the production of biofuels, liquid biomass fuels or gaseous and solid biomass fuels or other fuels, that are counted in the amount of energy from renewable sources in transport, proves compliance with the requirements for calculating the share of renewable electrical energy in electrical energy for road and rail transport and for entering into the database, created by the European Commission information about the transactions and about the sustainability criteria and the criteria for reducing greenhouse gas emissions of these fuels;

3. a voluntary national or international scheme to establish standards for the production of biofuels, biomass liquids or gaseous and solid biomass fuels or other fuels, that are accounted in the amount of energy from renewable sources in transport, proves that batches of biofuels, liquid fuels from biomass or gaseous and solid fuels from biomass meet the sustainability criteria under Art. 37, Para. 3 - 6;

4. the scheme under item 1, 2 or 3 contains accurate information about the measures, taken for the protection of soils, water and air, the restoration of degraded lands, the avoidance of excessive water consumption in areas with scarce water resources and the certification of biofuels, liquid biomass fuels and gaseous and solid biomass fuels with a low risk of indirect land-use changes;

5. it recognizes zones for the protection of rare, endangered or disappearing ecosystems or species, recognized by international treaties, to which the Republic of Bulgaria is a party, by the International Union for Conservation of Nature, as well as according to EU legislation.

(2) (Amend. – SG, 91/18, amend. – SG, 86/23, in force from 13.10.2023) The Minister of Environment and Water may request the European Commission to make a decision, according to which certain raw material for the production of biofuels, liquid fuels from biomass and gaseous and solid biomass fuel meets the criteria for sustainability and the criteria for reducing greenhouse gas emissions, defined in Art. 37, Para. 3 - 9 and 16.

(3) (Amend. – SG, 86/23, in force from 13.10.2023) The Minister of the Environment and Waters shall notify the European Commission when creating a national scheme, in which the state also participates, to check the entire supply chain for compliance with the criteria for sustainability and the criteria for reducing greenhouse gas emissions, determined under Art. 37, Para. 3 - 9 and 16, and the requirement for thresholds to reduce greenhouse gas emissions for renewable liquid and gaseous transport fuels of non-biological origin and recycled carbon fuels. Recognition of a scheme, approved by the European Commission, established in another Member State may not be refused within the scope of the first sentence.

(4) (New – SG 91/18) The Minister of Environment and Waters shall cooperate with the other Member States in the implementation of national systems, and with the economic operators in the implementation of national systems and voluntary schemes, including in relation to data exchange, with a view to minimizing the risk of individual batches being reported in the European Union more than once.

Art. 40. (1) (Amend. – SG, 86/23, in force from 13.10.2023) Biofuels, liquid fuels from biomass and gaseous and solid fuels from biomass, renewable liquid and gaseous transport fuels of non-biological origin and recycled carbon fuels shall be reported for the purposes of Art. 12, Para. 1, 5 and 6 and for their consumption, financial support may be granted, when in relation to the persons, who produce, import and/or introduce raw materials for the production of such fuels, and to the persons, who put such fuels on the market for final use, hereinafter referred to as "economic operators":

1. the sustainability criteria have been observed;
2. the criteria for reducing greenhouse gas emissions have been met;
3. a system for mass balance is used;
4. the auditing of the information under p. 1 - 3 is secured;
5. evidences have been produced for the conducted audit.

Art. 41. (Repealed - SG, 86/23, in force from 13.10.2023)

Art. 42. (Amend. - SG, 86/23, in force from 13.10.2023) (1) The used system for mass balance shall:

1. allow the mixture of lots of raw materials or fuels with different characteristics for sustainability and for the reduction of greenhouse gas emission;
2. allow mixing of batches of raw materials with different energy content for the purposes of further processing, provided that the size of the batches is specified in accordance with their energy content;
3. request to the mixture to remain attached information about the characteristics for sustainability and to reduce greenhouse gas emissions and the volumes of the lots under p. 1;
4. provide the sum of all the lots, which have left the mixture to have the same characteristics for sustainability, which have the sum of all the lots, added to the mixture and require that this balance be achieved within an appropriate period of time.

(2) The mass balance system shall ensure, that each batch is counted only once in the calculation of the gross final consumption of energy from renewable sources in the electricity sector, the heat and cooling sector and the transport sector, and information is available whether for the production of this batch support has been provided and, where so, the type of support scheme.

Art. 43. (1) (Former text of Art. 43 - SG, 86/23, in force from 13.10.2023) The information, provided under Art. 40 by the economic operators shall be subject to audit and certification.

(2) (New - SG, 86/23, in force from 13.10.2023) Auditing and certification shall apply to biofuels, biomass liquid fuels, biomass gaseous and solid fuels, non-biological renewable liquid and gaseous transport fuels and recycled carbon fuels, that are produced in the European Union or imported.

(3) (New - SG, 86/23, in force from 13.10.2023) Information on the geographical origin and type of raw materials, used in relation to biofuels, liquid biomass fuels and gaseous and solid biomass fuels of each fuel supplier shall be made available to consumers through the websites of economic operators and shall be updated annually.

Art. 44. (1) The Council of Ministers shall determine the conditions and procedure by an ordinance on:

1. collecting and providing information from the economic operators, including the measures, taken for protection of the soils, lands, waters, air, etc.;
2. (amend. – SG, 86/23, in force from 13.10.2023) performing an audit for compliance of biofuels, liquid fuels from biomass and gaseous and solid fuels from biomass, renewable liquid and gaseous transport fuels from non-biological origin and recycled carbon fuels with the sustainability criteria, with the criteria for reducing greenhouse gas emissions and with the requirements under Art. 37, Para. 16;

3. (amend. – SG, 86/23, in force from 13.10.2023) issuance and withdrawal of certificates of compliance of raw materials, biofuels and liquid biomass fuels and gaseous and solid biomass fuels, renewable liquid and gaseous transport fuels of non-biological origin and recycled carbon fuels with sustainability criteria and criteria for reducing greenhouse gas emissions gases and with the requirements under Art. 37, Para. 16, as well as the content of the certificates;

4. (new - SG 91/18) the detection and tracing of the raw materials for the production of new-generation biofuels and the biofuels produced therefrom along the whole value chain, prevention of their deliberate modification or transformation into waste so that to fall within the scope of raw materials for the production of new-generation biofuels, as well as to take measures when detecting illegal activities and their reporting to the European Commission.

(2) (Suppl. – SG, 86/23, in force from 13.10.2023) The Ordinance under Para. 1 shall be adopted upon proposal by the Minister of Environment and Waters, jointly with the Minister of Agriculture and Food.

(3) (Amend. - SG 59/13, in force from 05.07.2013; amend. - SG 14/15, amend. – SG 58/17, in force from 18.07.2017, amend. – SG 102/22, in force from 01.01.2023, suppl. - SG, 86/23, in force from 13.10.2023) The Minister of Environment and Water, in agreement with the Minister of Energy and the Minister of Agriculture and Food, shall approve a methodology for calculating the reduction of greenhouse gas emissions from the entire life cycle of biofuels or liquid biomass fuels, gaseous and solid biomass fuels, renewable liquid and gaseous transport fuels of non-biological origin and recycled carbon fuels.

## **Section II.**

### **Consumption of biofuels, biogas for transport, liquid biomass fuels and gaseous and solid biomass fuels (Title amend. – SG, 86/23, in force from 13.10.2023, amend. - SG 67/25)**

Art. 45. (1) Biofuels and their derivatives in transport shall be used pure or in mixtures, as a compound part of the liquid fuels from petrol origin.

(2) Apart from the cases under Para. 1, any other type of energy from renewable sources may be used.

(3) (New – SG 47/25, in force from 10.06.2025, suppl. - SG 67/25) Biofuels and their derivatives under Para. 1, biogas for transport, liquid biomass fuels, gaseous and solid biomass fuels and biogas must meet the sustainability criteria and the criteria for reducing greenhouse gas emissions.

Art. 46. Liquid fuels from biomass shall be used for production of electric energy, heat and cooling energy in case that they meet the sustainability criteria.

Art. 47. (Amend. - SG 35/15, in force from 15.05.2015, amend. – SG 91/18) (1) Persons who place on the market liquid fuels from petroleum origin in transport, upon release for consumption within the meaning of the Excises and Tax Warehouses Act, shall offer fuels for diesel and petrol engines mixed with biofuels in percentage ratio as follows:

1. (repealed - SG, 86/23, in force from 13.10.2023)

2. (repealed - SG, 86/23, in force from 13.10.2023)

3. (suppl. - SG, 86/23, in force from 13.10.2023) from 1 April 2019 - fuel for diesel engines with a biodiesel content of at least 6 percent by volume, with at least one percent volume of biodiesel being biofuel of a new generation from raw materials type "A";

4. (repealed - SG, 86/23, in force from 13.10.2023)

5. from 1 March 2019 - fuel for gasoline engines with a content of bioethanol and / or ethers produced from biomass of at least 9 percent by volume.

6. (new - SG, 86/23, in force from 13.10.2023) From September 1, 2024 - fuel for diesel engines with a biodiesel content of at least 6 percent by volume, with a minimum of two percent by volume of the biodiesel being new-generation biofuel from type "A" raw materials;

7. (new - SG, 86/23, in force from 13.10.2023, amend. and suppl. - SG, 14/25) From March 1, 2025 - fuel for gasoline engines with a content of bioethanol and/or ether produced from biomass, a minimum of 9 percent by volume, with a minimum of one percent by volume of the bioethanol being biofuel of a new generation from raw materials of type "A".

(2) (Repealed - SG, 86/23, in force from 13.10.2023)

(3) (Amend. - SG, 86/23, in force from 13.10.2023, amend. – SG 47/25, in force from 10.06.2025) The distributors at each distribution shall offer the fuels for petrol and diesel engines in transport in accordance with the requirements of Para. 1, items 5-7 within one month after the expiration of the respective term.

(4) (Amend. - SG, 86/23, in force from 13.10.2023, amend. – SG 47/25, in force from 10.06.2025) The final distributors shall offer the fuels for diesel and petrol engines in the transport in accordance with the requirements of Para. 1, items 5-7 within two months after the expiration of the respective term.

(5) (New – SG 97/25, in force from 14.11.2025) Upon a proposal from the Minister of Economy and Industry, the Minister of Transport and Communications and the Minister of Energy, the Council of Ministers may adopt a decision to suspend for a certain period the implementation of an obligation under Para. 1 and the corresponding obligations under Para. 3 and 4, taking into account the objectives under Art. 12 and Art. 13:

1. in the event of impossible supply of biofuels under Para. 1;

2. in the event of allocation for use of stocks under the Act on Stocks of Oil and Petroleum Products in emergency situations under the same Act.

### **Section III.**

#### **Requirements for Quality, Control and Placing on the Market of Biofuels and their Mixtures, and of Liquid Fuels of Biomass**

Art. 48. (1) The persons, who place on the market biofuels and their mixtures with liquid fuels from petrol origin in transport shall draw up for every lot a compliance declaration with the requirements for quality according to Art. 18a, Para. 2 of the Ambient Air Quality Act.

(2) (Amend. - SG 91/18, suppl. – SG 47/25, in force from 10.06.2025) Persons who place on the market biofuel blends with petroleum-derived liquid fuels in transport shall also indicate in the declaration of conformity the percentage of biofuel in the fuel for petrol or diesel engines, as well as the percentage of new generation biofuel in the fuel for gasoline or diesel engines.

(3) (Amend. - SG 91/18) The persons under Para. 1 shall provide the first distributor with a certified copy of the declaration of conformity for the relevant batch. The copy shall indicate the quantity of liquid fuel, the distributor to whom it is given, the date and the number of the dispatch document, and the number and date of the declaration of conformity are to be entered in all other documents accompanying the batch.

(4) (New - SG 91/18) The distributor shall provide to each subsequent distributor, including the end distributor, a certified copy of the declaration of conformity for the respective batch. The copy shall indicate the quantity of liquid fuel, the distributor to whom it is given, the date and number of the dispatch document, and the number and date of the declaration of conformity are to be entered in all other documents accompanying the batch.

(5) (New - SG 91/18) The persons under Para. 1, distributors and end- distributors, upon inspection, shall provide officials with the declaration of conformity, or a certified copy thereof, as well as the documents for dispatch of the fuel being inspected, or a copy thereof

Art. 49. Mixing biofuels with liquid fuels of petrol origin shall be done only in tax warehouses, licensed as provided by the Excises and Tax Warehouses Act.

Art. 50. (1) (Amend. – SG 15/13, in force from 15.02.2013, amend. - SG 65/20, amend. - SG 54/23) The State Agency "State Reserve and Wartime Stocks" shall buy and sell petrol products, intended for creating, storing and renewal of state reserves, wartime stocks, emergency situation stocks and dedicated stocks, which are not mixed with biofuels.

(2) (Amend. – SG 15/13, in force from 15.02.2013) The external depositories under the Act on State Reserves and Wartime Stocks shall create, store, protect and renew of state reserves and/or wartime stocks of petrol products, which are not mixed with biofuels.

(3) (New – SG 15/13, in force from 15.02.2013, amend. - SG 65/20) The obliged persons and the depositories with registered warehouses under Art. 38 of the Act On Reserves of Crude Oil and Petroleum Products shall create and store stocks for emergency situations, which are not mixed with biofuels. The dedicated stocks of crude oil and petroleum products are stored on the territory of the country, and are not mixed with biofuels.

(4) (Prev. text of Para 03, suppl. – SG 15/13, in force from 15.02.2013, amend. – SG 91/18, amend. - SG 65/20, amend. - SG 54/23) The persons, who buy fuels for petrol and diesel engines from the State Agency "State Reserve and Wartime Stocks" and from the persons under Para 2 and 3 shall be obliged to mix them with bio-ethanol and / or ethers, produced from biomass, and bio-diesel in percentage relation and in terms, determined by Art. 47, Para 1.

(5) (Prev. text of Para 04 – SG 15/13, in force from 15.02.2013, amend. – SG 91/18, repealed – SG 47/25, in force from 10.06.2025)

Art. 51. (1) The control over the quality of biofuels and their mixtures with liquid fuels of petrol origin, as well as of liquid fuels from biomass shall be performed by the chairman of the State Agency on Metrological and Technical Observation (SAMTO) or by officials, authorized by him under This Act.

(2) The technical and quality requirements to the biofuels and their mixtures with liquid fuels from petrol origin and to the liquid fuels from biomass, as well as the conditions and procedure and way of their control shall be determined by the ordinance under Art. 8, Para. 1 of the Ambient Air Quality Act.

## **Chapter six.**

### **SUBMITTING INFORMATION AND REPORTING**

Art. 52. (1) In order to ensure accessibility and availability of information collected under the conditions and procedure of this Act, in ASED shall be created, maintained and updated a National information system for the potential, production and consumption of energy from renewable sources in the Republic of Bulgaria.

(2) In order to ensure accessibility via the system under Para. 1, the following shall be provided:

1. information about the national targets for production and consumption of energy from renewable sources in total by sectors;

2. (amend. – SG, 86/23, in force from 13.10.2023) the reports on the implementation of the Integrated Plan in the field of energy and climate of the Republic of Bulgaria;

3. (amend. – SG 29/12, in force from 10.04.2012) qualification schemes for training for obtaining professional qualification of the activities under Art. 21, Para 1;
  4. (amend. – SG 29/12, in force from 10.04.2012) a list for obtaining a professional qualification for the activities under Art. 21, Para 1;
  5. (amend. – SG, 86/23, in force from 13.10.2023) the list under Art. 5, Para. 1, item 2;
  6. (amend. – SG, 86/23, in force from 13.10.2023) information about incentive measures for production and consumption of electric energy, heat and cooling energy from renewable sources and biogas and green hydrogen;
  7. (amend. and suppl. – SG, 86/23, in force from 13.10.2023) information on measures to stimulate the production and consumption of biofuels, liquid fuels from biomass, gaseous and solid fuels from biomass, renewable liquid and gaseous transport fuels of non-biological origin and recycled fuels in transport;
  8. (amend. – SG, 86/23, in force from 13.10.2023) information about seminars, conferences and other events, related to production and consumption of electric energy, heat and cooling energy from renewable sources of biogas and green hydrogen, as well as with the production and consumption of biofuels and liquid fuels from biomass, gaseous and solid fuels from biomass, renewable liquid and gaseous transport fuels of non-biological origin and recycled fuels in transport;
  9. information about the pure benefit, costs for energy and energy effectiveness of the equipment and the systems for production and consumption of electric energy, heat and cooling energy from renewable sources, provided by the providers of equipment and systems;
  10. (amend. – SG, 86/23, in force from 13.10.2023) information about training and information campaigns about the promotion measures, benefits and practical peculiarities of the development and use of electric energy, heat and cooling energy from renewable sources, biogas and green hydrogen, biofuels, liquid biomass fuels, gaseous and solid biomass fuels, renewable liquid and gaseous transport fuels of non-biological origin and recycled transport fuels;
  11. information about the procedure of examining the applications for using permits, certificates and licenses for energy sites for production of energy from renewable sources;
  12. other information.
- (3) (Amend. – SG, 86/23, in force from 13.10.2023) for providing disposal through the system under Para. 1, information shall be provided about:
1. production of energy from renewable sources, biogas and green hydrogen, biofuels, biofuels of a new generation and biogas for transport from raw materials type "A", biofuels and biogas for transport from raw materials type "B" and energy from renewable sources in transport;
  2. the consumption of energy, produced from renewable sources, including biofuels, biofuels of a new generation and biogas for transport from raw materials type "A", biofuels and biogas for transport from raw materials type "B" and other fuels;
  3. energy production by consumers of their own electrical energy from renewable sources;
  4. (amend. – SG 97/25, in force from 14.11.2025) the projects financed by the National Decarbonisation Fund.

Art. 53. (1) (Prev. text of Art. 53 - SG 41/19, in force from 21.05.2019) The information under Art. 52, Para. 2 and 3 shall be provided by:

1. the producers, operators of networks, the public provider and end providers of electric energy;
2. (amend. – SG, 86/23, in force from 13.10.2023) producers and heat transfer enterprises for heat and cooling energy, producers of biogas and green hydrogen;
3. (amend. – SG, 86/23, in force from 13.10.2023) the economic operators under Art. 40;
4. distributors and end distributors of biofuels and their mixtures with liquid fuels from petrol

origin in transport;

5. (repealed - SG, 86/23, in force from 13.10.2023).

6. (amend. – SG 97/25, in force from 14.11.2025) the Manager of the National Decarbonisation

Fund;

7. providers of equipment and systems for production and consumption of electric energy, heat and cooling energy from renewable sources;

8. service providers of mounting and maintenance of installations for production of electric energy, heat and cooling energy from renewable sources;

9. the bodies of the state and local authorities;

10. owners of buildings for public service;

11. owners of individual systems for production of electric energy, heat and cooling energy.

(2) (New - SG 41/19, in force from 21.05.2019, suppl. - SG, 86/23, in force from 13.10.2023)

The information under Art. 52, para. 3 shall be provided on a quarterly basis - by the 25th of the following month and on an annual basis - by 31 January of the following calendar year. Producers under Art. 30, Para. 2 and the producers of energy from shallow geothermal resources shall provide the information under Art. 52, Para. 3, item 1, by 31 January of the following calendar year.

Art. 54. (Amend. - SG 59/13, in force from 05.07.2013; amend. - SG 14/15) The contents, structure, conditions and procedure for collecting and providing information under Art. 52, Para. 2 and 3, as well as about the updating and maintaining the National information system under Art. 52, Para. 1 shall be determined by an ordinance of the Minister of Energy.

## **Chapter seven.**

### **CONTROL, COMPULSORY ADMINISTRATIVE MEASURES AND ADMINISTRATIVE-PENAL PROVISIONS**

Art. 55. (Amend. – SG 91/18) In case of found violations of any requirement of Art. 47 or 48, the chairperson of SAMTO or officials, authorized by him, shall have the right to apply the following compulsory administrative measures:

1. to stop temporarily the placement on the market and/or the distribution of liquid fuels and to stamp the sites, where no compliance declaration has been produced or the produced declaration does not contain the information under Art. 48, Para. 2, 3 and 4;

2. to prohibit placement on the market and/or the distribution of liquid fuels and to stamp the sites, where as a result of the testing in an accredited laboratory and a drawn up a written protocol, an incompliance has been found with the requirement of Art. 47;

3. to order withdrawal of liquid fuels from the market, where the test results of the control sample, with which an incompliance with the requirement of Art. 47 has been found, has not been disputed within 7 days after their receiving, or in case of dispute, the result has been confirmed by the tests of the arbitrage sample and the drawn up expertise.

Art. 56. (1) The compulsory administrative measures under Art. 55 shall be applied by a motivated order, which shall contain obligatory prescriptions and by placing the establishing signs of the control bodies under Art. 55. The kind of signs shall be determined by an order of the chairperson of the SAMTO.

(2) The order under Para. 1 shall be announced to the interested persons as provided by the Administrative – procedure Code.

(3) The order under Para. 1 may be appealed under the Administrative – procedure Code, where the submitted claim shall not stop the implementation of the applied compulsory administrative measure.

(4) (Suppl. – SG. 86/23, in force from 13.10.2023) Damages, losses and lost benefits from the applied coercive administrative measures shall be at the expense of the owners of the inspected liquid fuel of petroleum origin, except in the cases of their cancellation by a judicial procedure.

(5) (Amend. – SG 91/18) In the cases under Art. 55, Para. 1 and 2, the measures shall be repealed by the officials, who have imposed them, as well as after testing in an accredited laboratory and a written protocol has been drawn up or test of an arbitrage sample and a drawn up expertise a compliance with the requirements for contents of biofuels in percentage relation has been established, under Art. 47, Para. 1.

Art. 57. (1) (Amend. - SG 17/15, in force from 06.03.2015) The EWRC shall apply compulsory administrative measures, if found that the controlled under this Act persons, their employees, persons, who fulfill management functions on a contract in them or sign deals on their account, have committed, or commit acts, by which:

1. violate provisions of this Act, of the legislative acts on its implementation and of Commission acts;
2. threaten the security of the energy system, the public interests or of the consumers of electric and thermal energy and natural gas or other energy undertakings;
3. violate the conditions for carrying out the license activity;
4. impede conducting of control activity of the Commission.

(2) The compulsory administrative measures under Para. 1, as well as the proceedings for their imposition and appeal, shall be regulated by Chapter Thirteen of the Energy Sector Act.

Art. 58. (1) The Executive Director of ASED or an official authorized by him shall give obligatory prescriptions for removal of found violations of this Act and the legislative acts on its implementation and the determined time limit for their implementation.

(2) The persons, who have been given obligatory prescriptions, shall notify the persons under Para. 1 about their fulfillment within the determined time limit.

Art. 59. (1) Any Mayor of a Municipality, who:

1. (amend. – SG, 86/23, in force from 13.10.2023) did not fulfill his obligation under Art. 10, Para. 1 to develop and submit for adoption by the municipal council a municipal long-term program to promote the use of energy from renewable sources and biofuels in accordance with the Integrated Plan in the field of energy and climate of the Republic of Bulgaria;

2. fails to fulfill his obligation under Art. 10, Para. 3 or 4, shall be punished by a fine of BGN 2000 to 10 000.

(2) Any Regional Governor, who fails to submit to the ASED information under Art. 8, p. 3 on the programmes' implementation under Art. 9, shall be punished by a fine of BGN 2000 to 10 000.

Art. 60. (1) On any energy enterprise, whose transmission or distribution network operator:

1. (amend. - SG 17/15, in force from 06.03.2015) fails to fulfill some of his obligations under Art. 18, Para. 1, p. 1 and 3, Para. 4, p. 1 and 2;

2. (repealed – SG, 86/23, in force from 13.10.2023)

3. fails to fulfill some of his obligations under Art. 28, Para. 1 – 3,

shall be imposed a property sanction within the amount from BGN 20 000 to 30 000.

(2) (Amend. - SG 38/18, in force from 08.05.2018) In repeated violation, the property sanction shall be in triple the amount of the sanction under Para. 1.

Art. 60a. (New – SG 54/12, in force from 17.07.2012, amend. – SG, 86/23, in force from 13.10.2023) (1) An operator of an electricity transmission or electricity distribution or closed electricity distribution network, who violates a provision of Art. 26 and/or a term under the procedure for joining a producer of electricity from renewable sources, provided for in this law or in the regulation under Art. 116, Para. 7 of the Energy Sector Act, a property sanction in the amount of BGN 10 000 to BGN 1 000 000 shall be imposed.

(2) On a member of a governing body or to an official of an operator of an electricity transmission or distribution network, who has committed or has allowed a violation to be committed under Para. 1, a fine in the amount of BGN 1 000 to BGN 10 000 shall be imposed.

(3) In case of repeated violation under Para. 1 the property sanction shall be in the amount of BGN 30 000 to BGN 3 000 000.

(4) In case of repeated violation under Para. 1 by a person under Para. 2, the fine shall be in the amount of BGN 3 000 to BGN 30 000.

Art. 61. (1) Any energy enterprise that unlawfully refuses to:

1. connect to the relevant energy network;
2. enter into a contract for the purchase of electrical energy;
3. gain access to the transmission or distribution networks for electrical energy and natural gas;
4. connect facilities for the production of thermal energy from renewable sources to the district heating network; or

5. purchase thermal energy produced by another producer,

shall be subject to a pecuniary penalty ranging from BGN 20 000 to 1 000 000.

(2) (Amend. - SG 38/18, in force from 08.05.2018) In repeated violation, the pecuniary sanction shall be in triple the amount of the sanction under Para. 1.

Art. 62. (Revoked - SG 21/21)

Art. 63. (1) Any public provider, or an end provider, who fails to fulfill his obligation under Art. 18, Para. 4, p. 5 or Art. 31 shall be imposed by a property sanction in the amount of BGN 70 000 to 200 000.

(2) (Amend. - SG 38/18, in force from 08.05.2018) In repeated violation, the property sanction shall be in triple amount of the sanction under Para. 1.

Art. 64. (1) (Amend. – SG 29/12, in force from 10.04.2012, amend. - SG 38/18, in force from 08.05.2018, amend. – SG 47/25, in force from 10.06.2025) To a producer of electric power from renewable resources failing to perform his duties under Art. 34, Para 10 shall be imposed a fine of BGN 300 to 3000 or by a property sanction in the amount of BGN 500 to 10 000.

(2) Any person, who provides information in the cases, provided by this Act and by its legislative acts, shall be imposed by a fine of BGN 1000 to 3000, or a property sanction in the amount of BGN 10 000 to 20 000.

Art. 65. (1) (Amend. and suppl. – SG, 86/23, in force from 13.10.2023) To a person, who issued a certificate of conformity of biofuels and, liquid fuels from biomass and gaseous and solid fuels from biomass, renewable liquid and gaseous transport fuels of non-biological origin and recycled carbon fuels

with the sustainability criteria, the criteria for reducing greenhouse gas emissions and the requirements under Art. 37, Para. 16 in violation of the terms and conditions for their issuance, provided for in the Ordinance under Art. 44, Para. 1, a property sanction in the amount of BGN 20,000 to BGN 50,000 shall be imposed.

(2) With the exception of the cases under Para. 1, any person, who conducts an audit in violation of the requirements of the ordinance under Art. 44, Para. 1, shall be imposed by a property sanction in the amount of BGN 10 000 to 20 000.

(3) (Amend. - SG 38/18, in force from 08.05.2018) In repeated violation under Para. 1 or 2, the property sanction shall be in triple amount of the sanction under Para. 1, or Para. 2.

Art. 66. (1) Whoever obstructs or allows obstruction of the control activities carried out by officials under this law and the regulatory acts implementing it, if this does not constitute a crime, shall be sanctioned by the relevant competent administrative sanctioning authority with a fine of BGN 2000 to 5000 and a legal person or one-man trader shall be imposed by a property sanction in the amount of BGN 5000 to 10 000.

(2) (Amend. - SG 38/18, in force from 08.05.2018) In repeated violation, the property sanction shall be in triple amount of the sanction under Para. 1.

Art. 67. (1) On whoever places on the market liquid fuels from petrol origin in violation of the provision of Art. 47, Para. 1, shall be imposed a property sanction in the amount of BGN 200 000.

(2) (New – SG 91/18, amend. – SG, 86/23, in force from 13.10.2023) To a distributor who offers on the market liquid fuels of petroleum origin in violation of the provision of Art. 47, Para. 3, a fine of BGN 50 000 or a property sanction of BGN 100 000 shall be imposed.

(3) (Previous Para. 2, amend. – SG 91/18, amend. – SG, 86/23, in force from 13.10.2023) Any end distributor, who offers on the market liquid fuels from petrol origin in violation of the provision of Art. 47, Para. 4 shall be imposed a fine in the amount of BGN 25 000, or property sanction in the amount of BGN 50 000 shall be imposed.

(4) (Amend. – SG 15/13, in force from 15.02.2013, previous Para. 3, suppl. – SG 91/18) Any person, who places on the market liquid fuels from petrol origin in violation of the provision of Art. 50, Para 4 shall be imposed by a fine in the amount of BGN 5 000, or property sanction in the amount of BGN 10 000.

(5) (Previous Para. 4, amend. – SG 91/18) In repeated violation, under Para. 1, 2, 3 or 4, the fine or the property sanction shall be in triple amount of the fine, respectively the sanction under Para. 1, 2, 3 or 4.

Art. 67a. (New – SG 29/12, in force from 10.04.2012; revoked – SG 33/14)

Art. 68. (1) Whoever violates the provision of this Act or of a legislative act on its implementation, if he/she is not subject to punishment under Art. 59-67, shall be punished by the relevant competent administrative penal body with a fine of BGN 1000 to 2000, and a legal person, or one-man trader shall be imposed by a property sanction in the amount of BGN 5000 to 10 000.

(2) (Amend. - SG 38/18, in force from 08.05.2018) In repeated violation, the fine or property sanction shall be in triple amount of the fine or sanction under Para. 1.

Art. 69. (1) The acts, which establish the administrative violations, shall be drawn up by officials:

1. determined by an order of the Minister of the Environment and Waters – for violations under Art. 65;
2. (amend. - SG 17/15, in force from 06.03.2015) determined by an order of the chairperson of EWRC – for violation under Art. 60 – 63, 66 and 68;
3. determined by an order of the executive directors of ASED - for violations under Art. 59, 64, 66 and 68;
4. (suppl. – SG 29/12, in force from 10.04.2012; amend. – SG 33/14) determined by an order of the chairperson of SAMTO – for violations under Art. 66, 67 and 68.

(2) The penal decrees shall be issued by:

1. the Minister of Environment and Waters or an official, authorized by him – in the cases under Para. 1, p. 1;
2. (amend. - SG 17/15, in force from 06.03.2015) the chairperson of EWRC or an official, authorized by his – in the cases under Para. 1, p. 2;
3. the executive director of ASED or an official, authorized by his – in the cases under Para. 1, p. 3;
4. the chairperson of SAMTO or an official, authorized by his – in the cases under Para. 1, p. 4;

Art. 70. The acts under Art. 69, Para. 1, p. 4 shall be drawn up while observing the requirements of Art. 43a, Para. 2 of the Ambient Air Quality Act.

Art. 71. (1) When the offender is known, but is not found at the address indicated when serving the administrative violation notice, or has left the country, or has indicated an address only abroad, the penal decree under Art. 69, Para. 2, p. 4 shall not be served. The decree shall be deemed to have entered into force two months after its issuance.

(2) The penal decrees under Art. 69, Para. 2, p. 4 shall obligatory state that the imposed fine or property sanction, as well as the costs for taking and testing the samples of liquid fuels, shall come into the budget account of SAMTO and shall serve as an invitation for voluntary execution following their enactment.

Art. 72. The violations under Art. 49 shall be established by the customs authorities under the conditions and procedure of the Excises and Tax Warehouses Act and the acts of secondary legislation for its implementation.

Art. 73. (New – SG 109/13, in force from 01.01.2014, declared anti-constitutional by a Decision of the Constitutional Court No. 13 of 2014 – SG 65/14) (1) On a person obliged to deduct and deposit the fee under Art.35a, failing to submit the statement referred to in Art. 35b, par.2, failing to submit it within the set time, failing to provide or providing incorrect information or circumstances, resulting in determination of the due fee to a lower amount, a proprietary sanction shall be imposed in an amount from BGN 5 000 to BGN 10 000.

(2) (Declared anti-constitutional by a Decision of the Constitutional Court No. 13 of 2014 – SG 65/14) In case of repeated violation under par. 1, the amount of the proprietary sanction shall be from BGN 7 000 to BGN 15 000.

(3) (Declared anti-constitutional by a Decision of the Constitutional Court No. 13 of 2014 – SG 65/14) The acts establishing the violations shall be drawn up by officials appointed by an order of the Chair of the SCEWR, and the penal decrees shall be issued by the Chair of the SCEWR or by an official authorized by him/her.

(4) (Declared anti-constitutional by a Decision of the Constitutional Court No. 13 of 2014 – SG 65/14) **Establishing the violations, the issuance, appeal and execution of penal decrees shall be carried out pursuant to the Act of Administrative Violations and Penalties.**

### **Additional provisions**

§ 1. Within the meaning of this Act:

1. (amend. – SG, 86/23, in force from 13.10.2023) "Biofuels" are liquid fuels for transport, produced from biomass, including:

a) "biodiesel: methyl ester, produced by vegetal or animal oils with the quality of diesel fuel, intended to be used pure or mixture with fuels for diesel engines;

b) "bio-ethanol": ethanol, produced from biomass and/or from bio-wastes, intended to be used pure or in mixtures with fuels for petrol engines;

c) (amend. – SG 47/25, in force from 10.06.2025) "ethers, produced from biomass": oxygen containing compounds (bio-ethyl – three-butyl- ether or ETBE), produced on the basis of bio-ethanol, in which the volume percentage of bio-ETBE, calculated as biofuels e47, bio-ethyl – three-butyl-ether or MTBE, produced on the basis of bio-methanol in which the volume percentage bio-methyl-three-butyl-ether calculated as biofuel, e36, intended for use pure or mixtures with fuels for petrol engines; biodimethylether: dimethylether produced from biomass, intended for use as biofuel for diesel engines;

d) new generation biofuels and biogas produced from type "A" raw materials.

2. ("Biomass" is a biologically degradable part of products, waste and residues of biological origin from agriculture (including plant and animal substances), forestry and related industries, including fisheries and aquaculture, as well as biodegradable part of waste, including production and domestic waste of biological origin.

3. (amend. – SG, 86/23, in force from 13.10.2023, amend. – SG 47/25, in force from 10.06.2025) "gross final consumption of energy" means the energy commodities delivered for energy purposes to industry, transport, households, services including public services, agriculture, forestry and fisheries, including the consumption of electricity and heat by the energy branch for purposes of producing electricity and heat energy. and the losses of electricity and heat energy during distribution and transmission;

4. (repealed - SG, 86/23, in force from 13.10.2023);

5. "guarantee for origin is an electronic document, which serves as evidence before an end user (buyer for own use) that a certain share or quantity of the supplied energy has been produced by renewable sources.

6. "energy for own needs" is the quantity energy, used in work of the equipments and installations, by which the energy from renewable sources is produced.

7. "energy for own consumption" is the quantity energy, used for supplying sites, branches and undertakings of the owner of the equipment and installations for production of energy from renewable sources.

8. (amend. - SG 11/23, amend. – SG, 86/23, in force from 13.10.2023) "Renewable energy" is energy from renewable non-fossil sources: namely, wind, solar (solar thermal and solar photovoltaic) and geothermal energy, energy from the environment, tidal, wave and other ocean energy, hydroelectric power, biomass, landfill gas, sewage treatment plant gas and biogas.

9. (repealed - SG, 86/23, in force from 13.10.2023);

10. "obligation for the energy from renewable sources" means the national support scheme, requiring from the producers of energy to include a certain share of the energy from renewable sources in its production, requesting from the suppliers of energy to include in their supplies a certain share of energy

from renewable sources or requesting from the consumer of energy to include a certain share of energy from renewable sources in his consumption, including schemes for using green certificates.

11. "combined combustion" is combustion of fuels from renewable sources and non-renewable source in which at least 20% of the used fuels for production of electric and/or thermal energy is from renewable sources.

12. "End distributor" is a notion in the meaning of § 1, p. 20 of the Additional Provision of the Ambient Air Quality Act.

13. "Persons, who place on the market biofuels and liquid fuels from biomass" are:

a) producers – any person, who produces and provides for the market biofuels and liquid fuels from biomass as a part of his commercial or professional activity in view the products to be provided for the market on the territory of the country;

b) persons, who import biofuels and liquid fuels from biomass from another EU Member State – any person, who imports biofuels and liquid fuels from biomass on the territory of the Republic of Bulgaria as a part of his commercial or professional activity in view the products to be provided for the market on the territory of the country;

c) importers – any legal person, who imports on the territory of the Republic of Bulgaria biofuels and liquid fuels from biomass from a third state in view the products to be provided for the market on the territory of the country.

14. "repeated" is an administrative violation, committed within one year term after the enforcement of the penal decree, by which the violator has been punished for a violation of the same type.

15. "provided for the market" is a notion in the meaning of Art. 2 Para. 1 of Regulation (EC) N 767/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (OJ, L 218/30 of 13 August 2008).

16. "derivatives of biofuels" are liquid fuels, obtained from biofuels, ex. Ethyl-three-butyl- ether with a percentage of the biofuel, not smaller than 47%.

17. "production zone" is a combination of neighboring land properties with close characteristics and intended for planning and building predominantly with buildings and equipments for production and warehousing activities.

18. "placing on the market" is a notion in the meaning of § 1, p. 7 of the Additional Provision of the Ambient Air Quality Act.

19. "region of joining" is a part of a licensed territory of an operator of electronic network in the exploitation of the relevant network is done on a territory subdivision of the operator.

20. "buildings for public service" are all the buildings – state, Municipal or private ownership, which provide activities in the area of education, healthcare, social cares, cultural, administrative services, commercial services etc. of public interest.

20a. (new – SG 29/12, in force from 10.04.2012) "Systematic" means the commitment of three or more offences under this Act or the normative acts on its application within two calendar years;

21. "support scheme" means any instrument, scheme or mechanism applied by a Member State or a group of Member States, that promotes the use of energy from renewable sources by reducing the cost of that energy, increasing the price at which it can be sold, or increasing, by means of a renewable energy obligation or otherwise, the volume of such energy purchased. This includes, but is not restricted to, investment aid, tax exemptions or reductions, tax refunds, renewable energy obligation support schemes including those using green certificates, and direct price support schemes including feed-in tariffs and premium payments;

22. "raw materials for production of biofuels and liquid fuels from biomass" are vegetal kinds, wastes and residues from the forestry, agricultural and fisheries farms and aquacultures.

23. "terrains with high carbon stores" are territories. Which in January 2008 have had, but not any longer, one of the following status:

- a) moors – soils, covered with water permanently or during a substantial part of the year;
- b) permanently planted zones – terrains with the area of above 1 hectare with tall trees above 5 m and coverage of branches above 30% or with trees, which may reach these thresholds;
- c) (amend. – SG, 86/23, in force from 13.10.2023) terrains with an area of more than one hectare, with a tree height of more than 5 meters and with crown coverage between 10 and 30 percent or with trees that can reach these thresholds on site, unless under the conditions and according to the Ordinance under Art. 13, Para. 7 the fulfillment of the conditions under Art. 37, Para. 7.

24. (amend. – SG, 86/23, in force from 13.10.2023) "terrains of large significance for the biodiversity" are terrains, which during or after January 2008 have had, notwithstanding whether they have some of the following status:

- a) virgin forests or other forest areas, i.e. forests and forest territories, reforested with local species, in which there are no clearly visible signs of human activity and a significant violation of ecological processes;
- b) highly biodiverse forests and other forested lands, that are species-rich and have not degraded or are designated by the relevant competent authority as having a high biodiversity, unless it is demonstrated that the production of this raw material does not conflict with these conservation objectives;
- c) territories, designated under a special Act with a view to protecting biological diversity, as well as established territories of rare and endangered ecosystems and species recognized by international agreements or by the European Commission, except when the production of raw materials from such areas does not conflict with environmental protection objectives and this is established in an Act of the competent authority; grasslands with a high degree of biodiversity with an area of more than one hectare, which are rich in plant and animal species, have not been eroded and, regardless of human intervention, have preserved their natural species composition and ecological characteristics and processes, and are defined by the relevant competent authority as having a high degree of biodiversity, except where the extraction of raw materials from the designated artificial grasslands is necessary for the conservation of the grassland.

25. "liquids fuels from biomass" means liquid fuels produced from biomass and intended for energy targets, including electricity and heating and cooling energy, other than those for transport.

26. Forms for offering biofuels on the market are:

- a) "pure" – pure biofuels or pure fuels with high level of the biofuel in them with specific qualities for their use in transport;
- b) "mixtures" – mixtures of biofuels with liquid fuels in compliance with the requirements for quality if the fuels from petrol origin, laid down in the technical specifications for automobile petrols (BSS EN 228) and fuel for diesel engines (BSS EN 590).

27. "substantial decreasing the quantities" transferred and/or distributed energy" is the restriction by the operator of the relevant electric network above 20% of the nominal value of the site for production of electric energy from renewable sources for more than 72 hours.

28. (new – SG 54/12, in force from 17.07.2012) "Significant change in a price forming element" shall be a change where a difference of more than 10 percent is found between the value of a price forming element by the date of the analysis and its value by the date of the decision with which the prices under Art. 32 are fixed.

29. (New - SG 56/15, in force from 24.07.2015) "Specific net electricity production" means the average annual electricity production of 1 kW of installed capacity according to the decision of the EWRC for determining preferential prices after deduction of expenses for own needs.

30. (new – SG 91/18, repealed - SG, 86/23, in force from 13.10.2023);

31. (new – SG 91/18, amend. – SG, 86/23, in force from 13.10.2023) "New generation biofuels

and biogas for transport from type "A" raw materials are biofuels and biogas produced from the following raw materials:

- a) algae grown on land in pools or photobioreactors;
- b) fraction of biomass in mixed household waste, but not separate household waste, subject to recycling by objectives according to Art. 31, Para. 1, item 1 of the Waste Management Act;
- c) biowaste within the meaning of § 1, item 2 of the Additional Provisions of the Waste Management Act, from private households subject to separate collection within the meaning of § 1, item 34 of the Additional Provisions of the Waste Management Act;
- d) (suppl. – SG 47/25, in force from 10.06.2025) a fraction of biomass in production waste that is not usable in the food or fodder chain, including materials from the wholesale and retail trade, from food industry, agriculture, fisheries and aquaculture, soapstock, sewage sludge, free fatty acids. with the exception of raw materials under item 32;
- e) straw;
- f) animal manure and sludge from waste water treatment;
- g) waste water from the production of palm oil and palm kernel fruit;
- h) tall oil pitch;
- i) crude glycerin;
- j) bagasse;
- k) grape pomace and wine lees;
- l) walnut shells;
- m) husks;
- n) cobs cleaned from maize grains;
- o) fraction of biomass in waste and residues from forestry and related industries, such as bark, branches, felling waste, stumps, leaves, needles, tree tips, sawdust, shavings, black lye, brown lye containing fiber-sludge, lignin and tall oil;
- p) other non-food cellulosic materials;
- q) other ligno-cellulosic materials, excluding logs and veneer logs;
- r) (new - SG 47/25, in force from 10.06.2025) fusel oils obtained from alcoholic distillation;
- s) (new - SG 47/25, in force from 10.06.2025) crude methanol from sulphate digestion in the production of cellulose from wood;
- t) (new - SG 47/25, in force from 10.06.2025) transitional crops, such as intermediate and protective crops, which are grown on areas where, due to a short growing season, the production of food and feed crops is limited to one harvest and provided that their use does not lead to the need for additional land and also provided that the content of organic matter in the soil is preserved when used for the production of biofuels for the aviation sector;
- u) (new - SG 47/25, in force from 10.06.2025) crops grown on lands with severely degraded quality, with the exception of food and feed crops when used for the production of biofuels for the aviation sector;
- v) (new - SG 47/25, in force from 10.06.2025) cyanobacteria;
- w) (new - SG 47/25, in force from 10.06.2025) waste and residues from processing processes of cereals (wheat, corn, barley and rice), which are not subject to use in the food or feed chain.

32. (new – SG 91/18, amend. – SG, 86/23, in force from 13.10.2023) "Biofuels and biogas for transport from raw materials type "B" are biofuels and biogas produced from the following raw materials

- a) used cooking oil;
- b) animal fats classified in categories 1 and 2 in accordance with Regulation (EC) № 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules concerning animal by-products and derived products not intended for human consumption, and repealing Regulation

(EC) № 1774/2002 (Animal By-products Regulation) (OJ, L 300/1 of 14 November 2009);

c) (new - SG 47/25, in force from 10.06.2025) damaged crops that are not fit for use in the food or feed chain, with the exception of substances that have been intentionally modified or contaminated to meet this definition;

d) (new - SG 47/25, in force from 10.06.2025) domestic waste water and derivatives, other than sludge from waste water treatment;

e) (new - SG 47/25, in force from 10.06.2025) crops grown on land with severely degraded quality, with the exception of food and feed crops and raw materials listed in item 31, when not used for the production of biofuels for the aviation sector;

f) (new - SG 47/25, in force from 10.06.2025) transitional crops, such as intermediate and protective crops, with the exception of food and feed crops and raw materials listed in item 31, which are grown on areas where, due to a short growing season, the production of food and feed crops is limited to one harvest and provided that their use does not lead to the need for additional land and also provided that the organic matter content of the soil is preserved when they are not used for the production of biofuels for the aviation sector.

33. (new – SG 91/18) "Starch-rich crops" are crops comprising mainly cereals (whether using only the grains, or using the whole plant, such as for wheat maize), tubers and roots (such as potatoes, earth apples, sweet potatoes, manioc and yam) and tuber-bulbs (such as taro and malanga).

34. (new – SG 91/18, amend. – SG, 86/23, in force from 13.10.2023) "Renewable liquid and gaseous fuels of non-biological origin" are liquid or gaseous fuels used in transport, other than biofuels or biogas, the energy content of which is derived from renewable sources, other than biomass.

35. (new – SG 91/18) "Lignocellulosic materials" are materials made of lignin, cellulose and hemicellulose, for example biomass from forests, wood energy crops and residues and wastes from forestry and related industrial branches.

36. (new – SG 91/18, amend. – SG, 86/23, in force from 13.10.2023) "Non-food cellulosic materials" are raw materials, composed mainly of cellulose and hemicellulose, which have a lower lignin content than lignocellulosic materials. These include food and forage crop residues (e.g. straw, stalks, pods and husks), low-starch grass energy crops (e.g. ryegrass, switchgrass, elephant grass, giant reed and pre- and post-soil protection and improvement crops main crops), industrial residues (including from food and forage crops after the extraction of vegetable oils, sugars, starch and protein), meadow crops and bio-waste materials, with meadow and cover crops considered as temporary, short-term sown pastures with mixtures of low-starch cereal and leguminous crops for livestock feed and to improve soil fertility for higher staple crop yields.

37. (new – SG 91/18) "Residue from processing" is a substance that is not the sought-after direct end product or final products from a given production process. The substance is not the main purpose of the manufacturing process and the process is not specifically modified to produce it.

38. (new – SG 91/18) "Residues from the forestry, agricultural and fishery and aquaculture" are residues which are produced directly from the forestry, agricultural and fishery and aquaculture. They do not include residues from industries related to these industries or from processing.

39. (new – SG 91/18) "Waste" shall mean any substance or object, from which the holder is released or intends to dispose of, or is required to dispose of, except for substances which have been intentionally modified or contaminated so as to meet this definition.

40. (new – SG 91/18) "Distributor" shall mean any person who carries out the distribution of liquid fuels within the meaning of § 1, item 23 of the Additional Provisions of the Ambient Air Quality Act.

41. (new – SG 91/18) "Land with severely degraded quality" is a land which, for a significant period of time, has been largely salorized or has a particularly low content of organic substances and is severely eroded.

42. (new – SG 91/18) "Highly polluted land" is a land which is not suitable for growing food or fodder due to soil contamination.

43. (new - SG 11/23) "Geothermal energy" is energy obtained from surface or underground naturally heated vapors, liquids or geological formations, which is constantly restored by natural processes and represents a flow of heat from the earth's bowels.

44. (new - SG 11/23) "Geothermal system" is a technology extracting and using geothermal energy for heating, cooling and/or electricity production.

45. (new - SG 11/23) "Low-temperature geothermal energy" is geothermal energy with a temperature up to and including 30°C.

46. (new - SG 11/23) "Medium-temperature geothermal energy" is geothermal energy with temperatures above 30°C and up to and including 90°C.

47. (new - SG No. 11 of 2023) "High-temperature geothermal energy" is geothermal energy with temperatures above 90°C.

48. (new – SG, 86/23, in force from 13.10.2023) "Biogas" is gaseous fuel produced from biomass.

49. (new – SG, 86/23, in force from 13.10.2023) “Biofuels, liquid biomass fuels and gaseous and solid biomass fuels with a low risk of indirect land-use change” are biofuels, liquid biomass fuels and solid and gaseous biomass fuels, from feedstock produced within schemes that avoid the effects of the displacement of biofuels, biomass liquid fuels and gaseous and solid biomass fuels based on food and feed crops through improved agricultural practices, as well as by growing crops in areas not previously used for this purpose, and which are produced in accordance with sustainability criteria for biofuels, liquid biomass fuels and gaseous and solid biomass fuels.

50. (new – SG, 86/23, in force from 13.10.2023) “Reforestation” is the restoration of a forest stand by natural or artificial means after the removal of a previous stand by logging or as a result of natural causes, including fire or storm.

51. (new – SG, 86/23, in force from 13.10.2023) "Gaseous and solid biomass fuels" are gaseous and solid fuels produced from biomass.

52. (new – SG, 86/23, in force from 13.10.2023) "Forestry biomass" is biomass harvested in forestry.

53. (new – SG, 86/23, in force from 13.10.2023) “Energy from the environment” is natural thermal energy and energy accumulated in the environment within certain limits, which may be contained in the ambient air, excluding exhaust air, in surface water or in waste water.

54. (new – SG, 86/23, in force from 13.10.2023, amend. - SG 47/25, in force from 10.06.2025) "Priority zone for the development of objects for the production of energy from renewable sources" is a specific location or territory, regardless of whether it is on land, in the sea or in inland water bodies, which has been determined to be particularly suitable for the construction of power plants for the production of energy from renewable sources on land, wind power plants in the sea and photovoltaic power plants in inland water bodies.

55. (new – SG, 86/23, in force from 13.10.2023) ”Modernization” is a major repair of facilities for the production of electrical energy from renewable sources, including complete or partial replacement of installations or working systems and equipment, for the purpose of replacing generating capacities or improving the efficiency or capacity of the installation.

56. (new – SG, 86/23, in force from 13.10.2023) "Community for renewable energy" is an entity without limitation of legal organizational form, which:

a) is based on open and voluntary participation, is independent and is effectively controlled by its shareholders, partners or members;

b) owns and manages installation/installations for the production of energy from renewable

sources located within an urbanized area and facilities where its shareholders, partners or members consume the produced energy;

c) consists of shareholders, partners or members who are natural persons, small and medium-sized enterprises or municipalities;

d) has the primary objective of providing to its shareholders, associates or members or to the areas in which it operates, not so much financial as environmental, economic or social benefits.

57. (new – SG, 86/23, in force from 13.10.2023) "Residual energy mix" is the total annual energy mix of a given member state, without including the part covered by canceled guarantees for origin.

58. (new – SG, 86/23, in force from 13.10.2023) "Waste heat and cold" is unavoidable heat or cold generated as a by-product in an industrial or electrical installation or in the service sector, which would be released unused into the atmosphere or into a body of water without access to a heating or cooling system, where a cogeneration process has been used or will be used, or where cogeneration is not feasible.

59. (new – SG, 86/23, in force from 13.10.2023) "Consumer of own electricity from renewable sources" is an end customer, carrying out activities in his own property, which produces electricity from renewable sources for own consumption and who can store or sell the electricity produced by him from renewable sources, provided that for non-domestic users of own electricity from renewable sources, these activities do not constitute their main commercial or professional activity.

60. (new – SG, 86/23, in force from 13.10.2023) "Supply area" is a geographically defined area from which the forestry biomass has been harvested, for which reliable and independent information exists and where conditions are sufficiently homogeneous to assess risk in relation to the sustainability and legality characteristics of the forestry biomass.

61. (new – SG, 86/23, in force from 13.10.2023) "Recycled carbon fuels and recycled fuels in transport" are liquid and gaseous fuels that are produced from liquid or solid waste streams, originating from non-renewable raw materials that are not suitable for the utilization of materials in accordance with Art. 6 of the Waste Management Act, or from waste process gas and waste gas from non-renewable sources, which are produced as an unavoidable and unintended consequence of the production process in industrial installations.

62. (new – SG, 86/23, in force from 13.10.2023) "Agricultural biomass" is biomass harvested in agriculture.

63. (new – SG, 86/23, in force from 13.10.2023) "Agreement for the purchase of energy from renewable sources" is a contract by which a natural or legal person agrees to purchase energy from renewable sources directly from a renewable energy producer.

64. (new – SG, 86/23, in force from 13.10.2023) "Jointly acting users of own electricity from renewable sources" is a group of at least two jointly acting users of own electric energy from renewable sources, which are consumers of their own electricity from renewable sources and are located in the same building or in a multi-family residential building.

65. (new – SG, 86/23, in force from 13.10.2023) "Peer-to-peer trading" of renewable energy is the sale of electrical energy from renewable sources between commercial market participants within the meaning of the rules under Art. 91, para. 2 of the Energy Act. The right to trade between partners does not affect the rights and obligations of parties involved as end customers, manufacturers or suppliers.

66. (new – SG, 86/23, in force from 13.10.2023) "Food and fodder crops" are starch-rich crops, sugar crops or oil-bearing crops grown on agricultural land as the main crop, not including residues, waste, or lignocellulosic material and transitional crops such as catch and cover crops, provided that the use of such transitional crops does not require additional land.

67. (new – SG, 86/23, in force from 13.10.2023) "Geothermal resources" means a concentration of heat in surface and/or underground naturally heated vapors, fluids or geological formations that are a source of geothermal energy.

68. (new – SG, 86/23, in force from 13.10.2023) "Deep geothermal resources" are geothermal resources, that are exploited with a geothermal system at a depth of more than 200 meters below the earth's surface.

69. (new – SG, 86/23, in force from 13.10.2023) "Shallow geothermal resources" are geothermal resources that are exploited with a geothermal system at a depth of up to 200 meters, below the earth's surface.

70. (new – SG, 86/23, in force from 13.10.2023) "Hydro-geothermal resources" are geothermal resources, contained in water resources within the meaning of the Waters Act.

71. (new - SG 47/25, in force from 10.06.2025) "Solar energy equipment" is a set of facilities that can convert solar energy into heat energy or electrical energy.

72. (new - SG 47/25, in force from 10.06.2025) "Co-located energy storage facilities" is an energy storage facility combined with an energy facility for the production of energy from renewable sources, the access to the network of which is carried out through the same joining facilities.

73. (new - SG 47/25, in force from 10.06.2025) "Artificial structure" is a structure built for a purpose other than the production of energy from solar energy or the storage of energy, and which does not raise concerns related to the competitive use of territory or the impact on the environment. These are structures that are on roofs and facades of buildings, structures in real estate to buildings in urbanized areas, as well as structures in parking lots, buildings and agricultural buildings.

74. (new - SG 47/25, in force from 10.06.2025) "Fuel supplier" is an entity supplying fuel to the market, which is responsible for the passage of the fuel through an excise warehouse, when required by law, including persons who place liquid or solid fuels on the market, and final distributors of liquid fuels within the meaning of the Ambient Air Quality Act, as well as operators of publicly accessible charging points within the meaning of the Energy Sector Act and persons supplying natural gas, gas from renewable sources and green hydrogen for transport.

75. (new - SG 47/25, in force from 10.06.2025) "Heat pump" is a concept within the meaning of item 35 of Annex I to Commission Regulation (EU) 2016/2281 of 30 November 2016 implementing Directive 2009/125/EC of the European Parliament and of the Council establishing a framework for the setting of ecodesign requirements for energy-related products, with regard to ecodesign requirements for air heating products, cooling products, high-temperature process chillers and fan coil units (OJ, L 346/1 of 20 December 2016).

### **Transitional and concluding provisions**

§ 2. (Suppl. – SG, 86/23, in force from 13.10.2023) This Act shall introduce the requirements of Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 for promoting the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC (OJ, L 140/16 of 5 June 2009 and Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 to promote the use of energy from renewable sources (OJ, L 328/82 of 21 December 2018).

§ 3. The provision of the law, which refer the EU Member States shall be applied also to the states – parties if the European Economic Area Agreement.

This Act was adopted by the 41st National Assembly on 21 April 2011.

### **Transitional and concluding provisions**

## **TO THE ACT AMENDING AND SUPPLEMENTING THE ENERGY SECTOR ACT FROM RENEWABLE RESOURCES**

(PROM. – SG 29/12, IN FORCE FROM 10.04.2012)

§ 17. (1) For energy sites, with the exception of hydroelectric power plants with total installed capacity exceeding 10 MW, for which at the date of entry into force of this Act have been concluded preliminary agreements for accession and the conditions of § 6, Para 2 of the transitional and concluding provisions have been met or have been concluded contracts for accession and which at the date of entry into force of this Act have not been entered into operation, the price negotiated in the contracts for the purchase of electric power from renewable sources as from the date of entry into force of this Act, shall be effective at the date of entry into operation of the energy site.

(2) In the cases under Para 1, where it is provided that parts of the energy site shall be entered into operation in stages and the entry into operation in stages for all specified stages is not complete on the date of entry into force of this Act, the price negotiated in the contracts for the purchase of the produced electric power shall be determined pursuant to Art. 31.

§ 18. (1) The transmission and distribution undertakings, following consultation with the transmission undertakings, within three months from entry into force of this Act, shall draw up the 10-year development plan of the transmission network and the development plans of the electricity distribution networks schedules for connecting of the sites of producers – parties to signed preliminary agreements for connecting of energy sites for production of electric power from renewable resources, except for the sites for production of electric power from biomass.

(2) The connecting schedules under Para 1 shall be drawn up in accordance with the expected development of the transmission/distribution network and the sequence of signed preliminary contracts for connection, and producers – parties to signed preliminary contracts for connection shall be notified of the possible time limits for connection of each site.

(3) Within one month of receiving notification under Para 2 the producers – parties to signed preliminary contracts for connection, shall state in writing their consent or disagreement regarding the time limit for connection, of which they have been notified.

(4) In cases of declared consent under Para 3 the time limit for connection shall be determined in an annex to the respective preliminary contract for connection and the term of the contract shall correspond to the said time limit.

(5) In cases of declared consent under Para 3, where a request is made for signing a contract for connection, the time limit for connecting shall be determined in this contract and the connection contract shall be for the indicated term.

(6) In case of stated disagreement under Para 3, as well as in the cases of lack of statement, the contracts are deemed terminated as from the date of expiry of the time limit, referred to in Para 3, and if a request for signing a connection contract was made, it shall be left without consideration.

(7) In cases under Para 4 and 5 the term of validity of the paid security under § 6, Para 2 of the Transitional and Concluding Provisions shall be extended in accordance with the contract term.

(8) In cases under Para 6 the paid advance or guarantee under § 6, Para 2 of the Transitional and Concluding Provisions shall be returned, respectively released within one month from the expiry of the term under Para 3.

(9) The sites of the producers – parties to signed preliminary contracts for connecting of energy sites for electric power production from biomass, shall be connected within the time limits according to the

contract terms and the terms under Art. 29, Para 5 and 6.

(10) Within 6 months after approval of the 10-year network development the electricity system operator shall publish on its website the plan, and the agreed schedules for connection of various producers.

(11) Every 6 months the electricity system operator shall publish on its website updated information of the connected and connection candidates - producers of electricity from renewable sources, with indications of the power, the type of production, grid voltage and settlement.

§ 19. With regard to the connection contracts signed before the date of entry into force of this Act shall apply the terms under Art. 29, Para 6, in effect before the entry into force of this Act.

§ 20. The ordinance under Art. 21, Para 5 shall be issued within two months from the entry into force of this Act.

.....

§ 23. This Act shall enter into force on the day of its promulgation in the State Gazette with the exception of § 3, which shall enter into force on 1 April 2013.

#### **Transitional and concluding provisions**

### **TO THE ACT AMENDING AND SUPPLEMENTING THE ENERGY SECTOR ACT**

(PROM. - SG 54/12, IN FORCE FROM 17.07.2012)

§ 204. This Act shall enter into force on the day of its promulgation in the State Gazette with the exception of:

1. paragraph 23, § 121, § 189, item 2, § 198 and § 199, para 3, which shall enter into force on January 1, 2012;
2. Art. 81b, which shall enter into force on March 3, 2013;
3. Art.120, para 6, which shall enter into force on January 1 2014.

#### **Transitional and concluding provisions**

### **TO THE CRUDE OIL AND PETROLEUM PRODUCTS ACT**

(PROM. - SG 15/13, IN FORCE FROM 15.02.2013)

§ 22. This Act shall enter into force from the date of its promulgation in the State Gazette.

#### **Transitional and concluding provisions**

### **TO THE ENERGY SECTOR ACT**

(PROM. - SG 59/13, IN FORCE FROM 05.07.2013)

2. Everywhere in the Act the words "the Minister of Economy, Energy and

Tourism", "Minister of Economy, Energy and Tourism" and "the Ministry of Economy, Energy and Tourism" shall be respectively replaced by "the Minister of Economy and Energy", "Minister of Economy and Energy" and "Ministry of Economy and Energy".

§ 21. The Act shall enter into force from the date of its promulgation in the State Gazette.

### **Concluding provisions**

#### **TO THE ACT AMENDING AND SUPPLEMENTING THE YOUTH ACT**

(PROM. - SG 68/13, IN FORCE FROM 02.08.2013)

§ 55. The Act shall enter into force from the date of its promulgation in the State Gazette

### **Concluding provisions**

#### **TO THE ACT OF THE STATE BUDGET OF THE REPUBLIC OF BULGARIA FOR 2014**

(PROM. - SG 109/13, IN FORCE FROM 01.01.2014)

§ 10. The Act shall enter into force on 1 January 2014, except for § 2, which shall enter into force from the date of promulgation of the Act in the State Gazette

### **Transitional and concluding provisions**

#### **TO THE ACT AMENDING AND SUPPLEMENTING THE ACT ON PROHIBITION OF CHEMICAL WEAPONS AND ON CONTROL OF TOXIC CHEMICAL AGENTS AND THEIR PRECURSORS**

(PROM. - SG 14/15)

§ 55. Everywhere in the ENERGY FROM RENEWABLE SOURCES ACT the words "the Ministry of Economy and Energy", "the Minister of Economy and Energy" and "Minister of Economy and Energy" shall be replaced respectively by "the Ministry of Energy", "the Minister of Energy" and "Minister of Energy".

### **Transitional and concluding provisions**

#### **TO THE ACT AMENDING AND SUPPLEMENTING THE ENERGY ACT**

(PROM. - SG 17/15, in force from 06.03.2015)

§ 44. Any regulations issued by the State Commission on Energy and Water Regulation related to the implementation of the Energy Act, Energy from Renewable Sources Act and the Act on Regulation of Water Supply and Sewerage Services shall retain their effect.

§ 53. In the Energy from Renewable Sources Act shall be made the following amendments and supplements:

.....

8. In the rest of the texts the words "State Commission on Energy and Water Regulation" shall be replaced by "Energy and Water regulatory Commission" and the abbreviation "SCEWR" shall be replaced by "EWRC".

§ 54. The promotions under Art. 18, para 1, items 6, 7 and 8, as well as Art. 31 and 32 of the Energy from Renewable Sources Act shall not apply to energy facilities for production of electricity from renewable sources, which are placed in service after the entry into force of this Act, with the exception of sites under Art. 24, items 1 and 3.

§ 57. The Act shall enter into force from the date of its promulgation in the State Gazette, except for § 13, which shall enter into force from January 1, 2016.

### **Transitional and concluding provisions TO THE ENERGY EFFICIENCY ACT**

(PROM. - SG 35/15, IN FORCE FROM 15.05.2015)

§ 32. The Act shall enter into force from the date of its promulgation in the State Gazette

### **Transitional and concluding provisions TO THE ACT AMENDING AND SUPPLEMENTING THE ENERGY SECTOR ACT**

(PROM. - SG 56/15, IN FORCE FROM 24.07.2015, AMEND. – SG 100/15)

§ 17. By July 31, 2015 in accordance with the Energy from Renewable Sources Act, the Energy and Water Regulatory Commission shall adopt a decision with which establishes a specific net electricity production based on which are set the preferential prices in the respective decisions of the Commission, adopted before the entry into force of this Act. In this case Art. 14 shall not apply.

§ 18. By July 31, 2015 in accordance with the Energy from Renewable Sources Act, the Energy and Water Regulatory Commission shall adopt a decision with which establishes a specific net electricity production based on which are set the preferential prices in the respective decisions of the Commission, adopted before the entry into force of this Act. In this case Art. 14 shall not apply.

§ 19. (1) The provision of Art. 18, para 7 of the Energy from Renewable Sources Act shall not apply as regards to energy facilities intended for the production of electricity from renewable sources, which were put into operation before the entry into force of this Act.

(2) As regards to energy facilities referred to in Art. 24, item 3, letter "a" of the Energy from Renewable Sources Act which are entered for accession until the entry into force of this Act and are not put into operation, the circumstances under Art. 18, para 7 of the said Act shall be evidenced by an application to the operator of the transferable electric network. The application shall be submitted within one month from the entry into force of amendments to the ordinance under Art. 116, para 7.

(3) The ordinance under Art. 116, para 7 shall be brought in compliance with the Energy from Renewable Sources Act within one month from entry into force of the said Act.

§ 20. (amend. – SG 100/15) The promotions under Art. 18, para 1, items 6, 7 and 8, as well as Art. 31 and 32 from the Energy from Renewable Sources Act shall not apply to energy facilities for production of electricity from renewable sources under Art. 24, item 3, which are put into operation after January 1, 2016.

## **Concluding provisions**

### **TO THE ACT AMENDING THE ACT ON BULGARIAN FOOD SAFETY AGENCY**

(PROM. - SG 58/17, IN FORCE FROM 18.07.2017)

§ 25. Everywhere in the text of Energy from Renewable Sources Act words "Minister of Agriculture and Food" and "Ministry of Agriculture and Food" shall be replaced with words "Minister of Agriculture, Food and Forestry" and "Ministry of Agriculture, Food and Forestry".

.....

§ 76. This Act shall enter into force on the day of its promulgation in the State Gazette.

## **Transitional and concluding provisions**

### **TO THE ACT AMENDING AND SUPPLEMENTING THE ENERGY SECTOR ACT**

(PROM. - SG 38/18, IN FORCE FROM 08.05.2018, SUPPL. – SG, 86/23, IN FORCE FROM 13.10.2023)

§ 68. (1) By 31 October 2018, producers of electricity from renewable energy sources with a total installed capacity of 4 MW and more than 4 MW of the energy facilities conclude with the Fund "Security of electricity system" contract for compensation with a premium for the quantities of electricity produced by them up to the amount of their defined specific net electricity production on the basis of which the preferential price was determined. The compensation contracts with premium shall enter into force no later than 1 January 2019.

(2) (New – SG 91/18) Contract under Para. 1 may also be concluded by a producer of electricity from renewable sources for two or more energy sites, some of which has a total installed capacity of less than 4 MW, under the following conditions:

1. the electricity produced by these facilities shall be measured in total with the commercial metering instruments existing at 8 May 2018; and

2. the same preferential price and net specific production are set for the facilities, and the same buy-out period shall apply.

(3) (Previous Para. 2 – SG 91/18) The premium shall be determined annually by the Energy and Water Regulatory Commission by 30 June, as a difference between the preferential price determined before the entry into force of this Act, respectively the updated preferential price of the site, and the estimated for that period market price for electric energy produced from renewable sources depending on the primary energy source.

(4) (Previous Para. 3 – SG 91/18) Fund "Security of electricity system" shall promptly inform the public provider of the date from which the contract of compensation with a premium was concluded with the respective producer.

(5) (Previous Para. 4 – SG 91/18) The premium is granted up to the expiration of the relevant long-term purchase contract or a contract under § 7 of the Transitional and Concluding Provisions of the Energy from Renewable Sources Act, concluded before the entry into force of this Act.

(6) (Previous Para. 5, amend. – SG 91/18, suppl. – SG, 86/23, in force from 13.10.2023) Upon reconstruction and modernization of an energy site which requires commissioning within the meaning of the Spatial Development Act, the granting of a premium shall be maintained, to the amount of net specific production for the installed capacity before the reconstruction and modernization, applying para. 3 and 5. In the event, that the energy site is for the production of electrical energy from solar energy, from the moment of commissioning of the reconstruction and/or modernization, a premium is provided for the quantities of electrical energy produced by it in the amount of 90 percent of the net specific production of electricity for

the installed capacity before their implementation, on the basis of which its preferential price was determined in the relevant decision of the CEWR.

(7) (Previous Para. 6 – SG 91/18) For the produced electricity, the producers under para. 1 require the issuance of guarantees of origin and transfer them to the Fund "Security of electricity system".

(8) (Previous Para. 7 – SG 91/18) Fund "Security of electricity system" after payment of a premium transfers to the persons under Art. 36g, para. 1, item 1 guarantees of origin for the respective month in proportion to the amount due by those persons for the same month funds from the price and/or the component of price under Art. 30, para. 1, item 17.

(9) (Previous Para. 8 – SG 91/18) From the date of entry into force of the contract under para. 1 the contract for purchase from the respective producer under para. 1 concluded before the entry into force of this Act it is considered terminated and the public supplier, respectively, the end suppliers do not buy at a preferential price the electricity produced by this producer.

(10) (Previous Para. 9 – SG 91/18) From July 1, 2018 until the entry into force of the contract under para. 1 the public supplier purchases electricity at preferential prices from the producers under para. 1, connected to the electrical grid.

(11) (Previous Para. 10 – SG 91/18) From July 1, 2018 until the entry into force of the contract under para. 1 the end-supplier purchases electricity at preferential prices from the producers under para. 1, connected to the electrical grid. The public supplier shall promptly notify the end-supplier of the date from which the compensation contract with premium enters into force concluded with the respective producer, according to the notification received from the Fund "Security of electricity system".

(12) (Previous Para. 11, amend. – SG 91/18) The end suppliers sell to the public supplier the quantities of electricity under par. 11 at the price at which they bought it.

(13) (Previous Para. 12, amend. – SG 91/18) The public provider sells on the stock market the electricity purchased by him under para. 10 and 12.

(14) (Previous Para. 13 – SG 91/18) For the electricity purchased by each manufacturer, the public provider receives compensation from the Fund "Security of electricity system" at the amount of the premium for that producer.

(15) (New – SG 91/18) In the cases under Para. 2, for sites with a total installed capacity of less than 4 MW, the producer shall notify the Energy and Water Regulatory Commission prior to the conclusion of the premium compensation contract.

.....

§ 74. The Act shall enter into force on the day of its promulgation in the State Gazette, except for:

1. Paragraphs 11, 14, 15, 16, 19, 22, 23, 24, 25, 32, 33, 35, 36, 39, 40, 41, 42 and § 64 relating to items 1 to 4, which shall enter into force from 1 July 2018;
2. paragraphs 63 and 66, which shall enter into force from 30 April 2018;
3. paragraphs 5, 6, 9, 10 and 73, which shall enter into force from 1 January 2019.

**Additional provisions**  
**TO THE ACT AMENDING AND SUPPLEMENTING THE ENERGY FROM RENEWABLE**  
**SOURCES ACT**

(PROM. – SG 91/18)

§ 18. This Act introduces the requirements of Art. 2 and Annex II of the European Parliament

and Council's Directive (EU) 2015/1513 of 9 September 2015 amending Directive 98/70/EC on the quality of petrol and diesel fuels, and amending Directive 2009/28/EC on the promotion of the use of energy from renewable sources (OJ, L 239/1 of 15 September 2015).

**Transitional and concluding provisions**  
**TO THE ACT AMENDING AND SUPPLEMENTING THE ENERGY FROM**  
**RENEWABLE SOURCES ACT**

(PROM. – SG 91/18)

§ 19. The Minister of Energy shall prepare and present to the European Commission by 31 December 2020 a report on the achieved results in fulfilling the national target under Art. 12a, Para. 5.

§ 20. (1) For the implementation of the European Commission's Decision № C (2016) 5205 of 4 August 2016 under procedure State Aid SA.44840 (2016/NN) - Bulgaria - Supporting the production of energy from renewable sources of the funds accrued for the compensation of the costs of purchasing electricity from renewable energy sources entering the electricity system of the Republic of Bulgaria for the period from July 1, 2011, until the coming into force of this Act, the operator of the transmission grid shall be paid by:

1. the public provider - for the period from July 1, 2011 till April 30, 2016, funds amounting to BGN 1 146 956.51;
2. the public provider - for the period from 1 May 2016 to 30 June 2018, funds in the amount determined by the Energy and Water Regulatory Commission;
3. Electricity Security System Fund - for the period from July 1, 2018, until the enactment of this Act, funds in the amount determined by the Energy and Water Regulatory Commission.

(2) The Energy and Water Regulatory Commission shall determine the amount of the funds under Para. 1, items 2 and 3 on the basis of the amount of electricity from renewable energy sources entering the electricity system of the Republic of Bulgaria from neighboring Member States and consumed by end customers connected to this system, from the electricity grid system operator and from the operators of the electricity distribution networks, and the price charged for these quantities or the component of the price under Art. 30, Para. 1, item 17 according to Art. 35, Para. 6 of the Energy Sector Act, determined by the Commission for the respective price periods. The amount shall be fixed for each calendar year within three months of the publication of the Eurostat data for the year concerned.

(3) The amount of electricity from renewable sources for a respective neighboring Member State shall be determined as a share of the total amount of electricity that has been imported into the electricity system of the Republic of Bulgaria from this country and consumed by end customers connected to that system, from the electricity grid operator and from the electricity distribution system operators for a relevant period corresponding to the share of electricity from renewable sources in the gross electricity generation in the country concerned.

(4) The total amount of electricity, received in the electricity system of the Republic of Bulgaria for a respective neighboring Member and consumed by end customers, connected to this system, by the transmission system operator and by the operators of the electricity distribution networks shall be determined according to data from the electricity grid operator, and the share of the electricity from renewable sources from the gross electricity production in the respective country - according to Eurostat data for the respective year.

(5) The Energy and Water Regulatory Commission shall notify the public provider and the Electricity Security System Fund for the calculated amount of funds under Para. 2.

(6) The electricity grid operator shall spend the allocated funds for the construction of a 400 kV "Maritza East - Nea Santa" interconnection line as defined in the decision under Para. 1.

§ 21. The acts on the implementation of the act shall be brought into compliance with this Act within 6 months of its entry into force.

### **Transitional and concluding provisions**

#### **TO THE ACT AMENDING AND SUPPLEMENTING THE ENERGY SECTOR ACT**

(PROM. - SG 41/19, IN FORCE FROM 21.05.2019, SUPPL. - SG, 86/23, IN FORCE FROM 13.10.2023 (\*))

§ 41. The Act shall enter into force on the day of its promulgation in the State Gazette, except for:

1. Paragraphs 2, 6, § 7 concerning item 1, § 13, 19, 20, 21, 23, 24 and § 37 concerning items 1 to 3, which shall enter into force on 1 July 2019;

2. paragraph 22, which shall enter into force three months after the promulgation of the law in the State Gazette.

### **Transitional and concluding provisions**

#### **TO THE ACT AMENDING AND SUPPLEMENTING THE ENERGY SECTOR ACT**

(PROM. – SG 9/21, IN FORCE FROM 02.02.2021, SUPPL. - SG, 86/23, IN FORCE FROM 13.10.2023 (\*))

§ 34. The Act shall enter into force on the day of its promulgation in the State Gazette, with the exception of § 7, which shall enter into force on January 1, 2021.

### **Concluding provisions**

#### **TO THE ACT SUPPLEMENTING THE RENEWABLE ENERGY ACT**

(PROM. - SG 42/22, IN FORCE FROM 07.06.2022)

§ 4. The Act shall enter into force on the day of its promulgation in the State Gazette, with the exception of § 3 which shall enter into force on January 1, 2023.

### **Transitional and concluding provisions**

#### **TO THE ACT AMENDING AND SUPPLEMENTING THE AGRICULTURAL PRODUCERS SUPPORT ACT**

(PROM. – SG 102/22, IN FORCE FROM 01.01.2023)

.....  
§ 57. In Energy from Renewable Sources Act, the words "Ministry of Agriculture, Food and Forestry" and "Minister of Agriculture, Food and Forestry" are replaced by "Ministry of Agriculture" and "Minister of Agriculture" respectively.  
.....

§ 106. The Act enters into force on January 1, 2023, with the exception of Art. 33a, para. 2, which enters into force on March 1, 2023.

**Transitional and concluding provisions**  
**TO THE ACT AMENDING AND SUPPLEMENTING THE ENERGY FROM**  
**RENEWABLE SOURCES ACT**

(PROM. – SG, 86/23, EFFECTIVE FROM 13.10.2023)

§ 66. The provisions of Art. 31, para. 15 - 18 shall apply to producers of electricity from renewable sources, who have contracts for the purchase of electricity at preferential prices concluded before the entry into force of this Act.

§ 67. The plan under Art. 5, Para. 2 shall be developed within 6 months from the entry into force of this Act and shall be updated in 2029.

§ 68. Within 4 months from the entry into force of this Act, the mayors of municipalities shall organize the activities of the administrative service centers under Art. 22.

§ 69. The procedures, started before the entry into force of this Act under the repealed Art. 23, 24 and 25 shall be completed in the previous procedure.

§ 70. (1) The connection of energy facilities for the production of electricity from renewable sources, for which a preliminary connection contract or a connection contract has been concluded on the date of entry into force of this Act, shall be carried out according to the previous procedure.

(2) The guarantee under Art. 29, Para. 1 shall be provided for energy facilities for production of electrical energy from renewable sources, for which opinions on connection have been issued, but on the date of entry into force of this Act, no preliminary contracts or contracts on connection have been concluded.

(3) The guarantee under Para. 2 shall be provided within three months from the entry into force of this Act.

(4) In the event that the guarantee under Para. 2 is not provided within the period under Para. 3, the procedure for joining the object shall be terminated.

§ 71. Contracts for the connection of sites for the production of electricity, the construction of which has been completed and the producer has submitted a request for conducting 72-hour tests to the relevant operator of the electricity grid on the date of entry into force of this Act shall be considered to be indefinite.

§ 72. The electricity transmission operator and the operators of the electricity distribution networks shall create the register under Art. 28, Para. 5 with up-to-date information under items 1 - 4 within a two-month period from the entry into force of this Act and develop the geographic information system under item 5 within a 6-month period from the entry into force of this Act.

§ 73. (1) The legislative acts on the implementation of the Act and the legislative acts on the implementation of the Energy Sector Act shall be brought into line with this Act within three months of its entry into force.

(2) The competent Ministers shall propose the normative changes to overcome the obstacles to the development of renewable energy communities, established in the report under Art. 18b, Para. 5, until March 1, 2024.

(3) The Executive Director of the Agency for Sustainable Energy Development shall prepare and submit to the Minister of Energy the assessments under Art. 18a, Para. 5 and Art. 18b, Para. 4 for

approval by December 31, 2023.

(4) The Executive Director of the Agency for Sustainable Energy Development shall prepare the manual under Art. 7, Para. 2, item 16 within three months from the entry into force of this Act

.....  
§ 90. The Act shall enter into force on the day of its promulgation in the State Gazette.

**Transitional and concluding provisions**  
**TO THE ACT AMENDING THE TAX-INSURANCE PROCEDURE CODE**

(PROM. - SG 106/23, IN FORCE FROM 22.12.2023)

.....  
§ 8. (In force from 22.12.2023) (1) The started and unfinished procedures for changing the purpose of agricultural lands under the Protection of Agricultural Lands Act until October 13, 2023 shall be completed in the order prior to the amendment of the act by the act amending and supplementing the Energy from Renewable Sources Act (SG 86 of 2023).

(2) Considered as incomplete shall be the procedures for which the proposals for approval of a site and/or route for design and for changing the purpose of agricultural land are submitted to the Ministry of Agriculture and Food or to the respective regional directorate "Agriculture" by October 13, 2023.

(3) The started and unfinished procedures after October 13, 2023, for changing the purpose of agricultural lands of the fifth and sixth categories under Art. 23, Para. 3 of the Protection of Agricultural Lands Act shall be terminated.

(4) § 30 of the transitional and final provisions of the Act amending and supplementing the Seed and Planting Material Act (SG 17 of 2018) shall not apply to sites for the production of energy from renewable sources.

(5) The change in the purpose of agricultural land, for which there is a detailed development plan for the construction of facilities for production of energy from renewable sources, approved before the entry into force of the Act amending and supplementing the Energy from Renewable Sources Act (SG 86 of 2023), and for which a proposal for change of purpose has not been submitted to the Ministry of Agriculture and Food or to the respective regional directorate "Agriculture" before the entry into force of the same Act, shall be carried out in accordance with the procedure of this act.

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§ 10. The act shall enter into force on January 1, 2024, with the exception of:

1. paragraph 4, which enters into force on March 1, 2024;
2. paragraphs 7, 8 and 9, which enter into force on the day of its promulgation in the State

Gazette.

**Concluding provisions**  
**TO THE ACT AMENDING AND SUPPLEMENTING THE ACT ON ENERGY FROM**  
**RENEWABLE SOURCES**

(PROM. - SG 47/25, IN FORCE FROM 10.06.2025)

.....  
§ 17. The secondary legislation implementing the law shall be brought into line with this act within three months of its entry into force.

§ 18. Within 6 months of the entry into force of this Act, the Executive Director of the Agency for Sustainable Energy Development shall update the manual under Art. 7, Para. 2, item 16 in accordance with the provisions of the Act.

§ 19. (1) The provisions of the Public Procurement Act shall not apply to the award of supplies, services and construction to public enterprises or their subsidiaries, in which the state or the municipality controls all the voting shares, when the following conditions are met:

1. the supplies, services and construction are carried out for the implementation of facilities for the production and storage of electricity, and the produced or stored electricity will be used by the contracting authority in its capacity as a customer or active customer;

2. the payments to the respective public enterprise or company do not exceed the savings in costs for the purchase of electricity and revenues from the sale, sharing and exchange of electricity established as a result of the implementation of the facilities for production and storage.

(2) For the implementation of the activities under Para. 1, the respective public enterprise or company is a public contracting authority.

§ 20. The term of the preliminary contracts for the connection of energy facilities for the production of electricity from wind energy, in force on the date of entry into force of this act, shall be extended to three years counting from the date of conclusion of the respective preliminary contract.

.....

§ 28. The act shall enter into force on the day of its promulgation in the State Gazette.

### **Concluding provisions**

## **TO THE ACT AMENDING AND SUPPLEMENTING THE ENERGY EFFICIENCY ACT**

(PROM. – SG 97/25, IN FORCE FROM 14.11.2025)

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§ 27. The act shall enter into force on the day of its promulgation in the State Gazette.

Relevant European Union legislation

DIRECTIVE 2009/28/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 23 April 2009 to promote the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC (Consolidated version)

DIRECTIVE 2003/30/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 8 May 2003 on the promotion of the use of biofuels and other renewable fuels for transport (revoked).

DIRECTIVE 2001/77/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 27 September 2001 on promoting the production and consumption of electricity from renewable energy sources in the internal electricity market (revoked).

REGULATION (EC) № 73/2009 OF THE COUNCIL of 19 January 2009 establishing common rules for direct support schemes under the Common agricultural policy and establishing certain support schemes for farmers, amending Regulations (EC) № 1290/2005, (EC) № 247/2006, (EC) № 378/2007 and repealing Regulation (EC) № 1782/2003 (Consolidated) (repealed).

REGULATION (EC) № 1099/2008 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 22 October 2008 on energy sector statistics (Consolidated version)

REGULATION (EC) № 765/2008 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to

the marketing of products and repealing Regulation (EEC) № 339/93.