

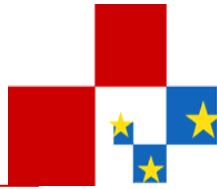
The Licensing Process in Croatia

Loridana Smoljanić

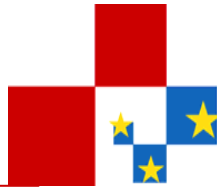
Head of Department for Legal Affairs and Licenses

NYPSC and CERA Partnership program

Albany, October 5, 2006

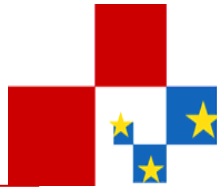


- ❑ The Energy Law (OG, 68/01, 177/04 amended)
- ❑ The Law on Regulation of Energy Activities (OG, 177/04)
- ❑ Ordinance of conditions for carrying out energy activities (OG 6/03 i 94/05)
- ❑ Decree of the License Validity Period (OG 116/02 i 71/05)



□ The Energy Law

- There are 25 energy activities which require licenses for legal and natural persons
- Prescribes conditions for licensees
- Prescribes conditions for issuing and revoking licenses
- Prescribes penalty provisions



□ The scope of activities of CERA shall include:

- Issuing licenses for carrying out of the energy activities
- Revoking licenses temporarily or permanently
- Supervising energy undertakings, pursuant to the provisions of the Energy Act and other laws regulating individual energy activities
- Supervising quality of services provided by energy undertakings



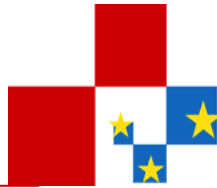
Ordinance of conditions for carrying out energy activities

- Prescribes conditions for issuing licenses, content and manner of keeping the register of issued and cancelled licences
- Prescribes technical and financial conditions as well as personnel qualification for licences

Decree of License validity period

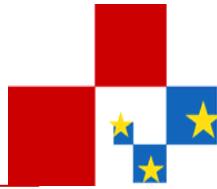
- Determines the period of License validity

Ordinance of conditions for carrying out of energy activities

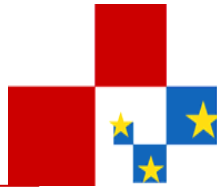


- ❑ A License can be issued to a legal entity provided that:
 - It is registered for carrying out energy activities
 - It is technically qualified to carry out energy activities
 - It employs the necessary number of personnel qualified to carry out energy activities
 - It has available funds, or can prove that it can provide them, necessary for carrying out energy activities
 - The license for the energy activity for which the energy undertaking applies has not been cancelled during the last ten years preceding the year of application

Ordinance of conditions for carrying out of energy activities (continued)



- Members of the Board of the energy operator or responsible persons reporting to them have not been convicted for an infringement related to carrying out energy activities during the last five years
- The Minister in charge prescribes the conditions for technical, financial and personnel qualification and manner of keeping the register of issued and cancelled licences
- The license for carrying out energy activities shall be issued for a certain period of time
- An energy undertaking that was refused a license for carrying out energy activities can appeal to the Ministry in charge



- ❑ The license for carrying out energy activities shall be issued for a certain period, dependant on:
 - Type of energy activity
 - Capacity of the licensee
 - Period of previous activity
 - Minimum period of license validity is 3 years
 - Maximum period of license validity is 40 years

The Energy Law



- ❑ The license for carrying out energy activities may be canceled before its expiration:
 - Temporarily, if the energy undertaking fails to fulfill conditions to carry out energy activities:
 - Registration
 - Technical qualification
 - Personnel qualification
 - Available funds
 - Permanently, if the energy undertaking fails to remedy breaches mentioned under the previous point or to remedy breaches within the period stipulated in the resolution passed by relevant inspectorate
 - Energy undertakings may appeal to the Ministry against the above mentioned resolutions

Number of issued licenses



- Electricity - 9
- District heating - 43
- Gas - 41
- Oil and oil derivatives - 152
- Trading, mediation and representation in the energy market - 16
- Wholesale and retail of LPG - 10

Total: 271 licenses



THANK YOU FOR YOUR ATTENTION

