



Republika Srbija
Ministarstvo rudarstva i energetike
Ministarstvo poljoprivrede i zaštite životne sredine



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IZGRADNJA POSTROJENJA I PROIZVODNJA ELEKTRIČNE/TOPLLOTNE ENERGIJE IZ BIOMASE U REPUBLICI SRBIJI

Vodič za investitore

CONSTRUCTION OF PLANTS AND ELECTRICITY/HEAT GENERATION FROM BIOMASS IN THE REPUBLIC OF SERBIA

Guide for investors

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Srpski

English





**IZGRADNJA POSTROJENJA I PROIZVODNJA
ELEKTRIČNE/TOPLOTNE ENERGIJE
IZ BIOMASE U REPUBLICI SRBIJI**

Vodič za investitore

IZGRADNJA POSTROJENJA I PROIZVODNJA ELEKTRIČNE/TOPLLOTNE ENERGIJE IZ BIOMASE U REPUBLICI SRBIJI

Vodič za investitore

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Legenda oznaka u šematskim prikazima koraka prikazanih procedura



Oznaka za zahtev koji podnosi investitor nadležnim organima, ovlašćenim organizacijama, telima ili privrednim subjektima



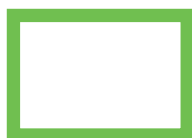
Oznaka za pitanje, koje se otvara u postupku



Oznaka za uslove i ulazne elemente dozvole, odnosno akta koji je predmet razmatranja



Oznaka za pozitivnu aktivnost nadležnog organa, odnosno ovlašćenih organizacija, tela ili privrednih subjekata



Oznaka za ostale korake u konkretnoj proceduri



Oznaka za upravni akt koji je rezultat sprovedenog postupka

Predgovor

Program Ujedinjenih nacija za razvoj (UNDP), kao implementaciona agencija Globalnog fonda za zaštitu životne sredine (GEF), sprovodi u partnerstvu sa Ministarstvom rudarstva i energetike i Ministarstvom poljoprivrede i zaštite životne sredine Republike Srbije GEF Projekat: „Smanjenje barijera za ubrzani razvoj tržišta biomase u Srbiji“.

Cilj Projekta je da se poveća udeo energije iz obnovljivih izvora u energetsom bilansu Srbije, odnosno udeo biomase u proizvodnji energije.

Jedna od aktivnosti projekta je izgradnja kapaciteta svih aktera za identifikaciju, pripremu, finansiranje, izgradnju i upravljanje bankabilnim projektima korišćenja obnovljivih izvora energije u okviru koje je izvršena revizija šest postojećih zastarelih vodiča za investiture u postrojenja koja koriste obnovljive izvore energije:

1. IZGRADNJA POSTROJENJA I PROIZVODNJA ELEKTRIČNE/TOPLLOTNE ENERGIJE IZ BIOMASE U REPUBLICI SRBIJI
2. IZGRADNJA POSTROJENJA I PROIZVODNJA ELEKTRIČNE ENERGIJE U MALIM HIDROELEKTRANAMA U REPUBLICI SRBIJI
3. IZGRADNJA POSTROJENJA I PROIZVODNJA ELEKTRIČNE ENERGIJE U VETROELEKTRANAMA U REPUBLICI SRBIJI
4. IZGRADNJA POSTROJENJA I PROIZVODNJA ELEKTRIČNE/TOPLLOTNE ENERGIJE IZ HIDROGEOTERMALNIH IZVORA U REPUBLICI SRBIJI
5. IZGRADNJA POSTROJENJA I PROIZVODNJA ELEKTRIČNE ENERGIJE U SOLARNIM ELEKTRANAMA U REPUBLICI SRBIJI
6. IZGRADNJA SOLARNIH GREJNIH SISTEMA U REPUBLICI SRBIJI

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

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

I Uvod

- elektrane na biomasu/biogas koje mogu steći status ((privremenog) povlašćenog) proizvođača električne energije iz obnovljivih izvora -

- Elektrana na biomasu je elektrana koja koristi biorazgradivu materiju koja obuhvata: 1) biljke, delove biljaka i ostatke biljaka nastale u poljoprivredi (slama kukuruzovina, granje, koštice ljuške), stajnjak sa farmi i sl., 2) biljke, delove biljaka i ostatke biljaka u šumarstvu, ostatke pri seči šuma i sl., 3) biljke, delove biljaka i ostatke biljaka nastale iz brzorastućih energetskih zasada, 4) materiju nastalu u ribarstvu i akvakulturi, 5) biorazgradive ostatke u prehrambenoj, drvnoj i srodnim industrijama, 6) separisanu biorazgradivu frakciju komunalnog otpada, 7) sporedne proizvode životinjskog porekla koji se koriste u skladu sa propisima iz oblasti veterinarstva i 8) energent proizveden tehnološkim postupkom iz materija ovde navedenih.
- Elektrana na biogas je elektrana sa jednom ili više proizvodnih jedinica koje koriste gas nastao u sopstvenim postrojenjima (digestorima) anaerobnim postupcima od biomase i sporednim proizvodima životinjskog porekla koji se koriste u skladu sa propisima iz oblasti veterinarstva

NAPOMENA: Potrebno je ukazati da se ovaj Vodič odnosi na sva postrojenja na biomasu/biogas i da su u njemu opisane procedure pred nadležnim organima i institucijama, ali da pojedini elementi ovih procedura, kao i sprovođenje pojedinih procedura zavisi od veličine objekta, mesta na kome se gradi objekat, konkretne tehnologije za proizvodnju energije i drugih karakteristika samog objekta za korišćenje biomase/biogasa.

Zakon o energetici:

„Biomasa je biorazgradivi deo proizvoda, otpada i ostataka biološkog porekla iz poljoprivrede (uključujući biljne i životinjske materije), šumarstva i povezanih industrija, kao i biorazgradivi deo industrijskog i komunalnog otpada”

Slama i drugi neopasan poljoprivredni ili šumski materijal koji se nalazi u prirodi i koristi u poljoprivredi, šumarstvu ili za proizvodnju energije iz takve biomase postupcima ili metodama koje nemaju štetan uticaj na životnu sredinu i ne ugrožavaju zdravlje ljudi

Ne podleže odredbama Zakona o upravljanju otpadom

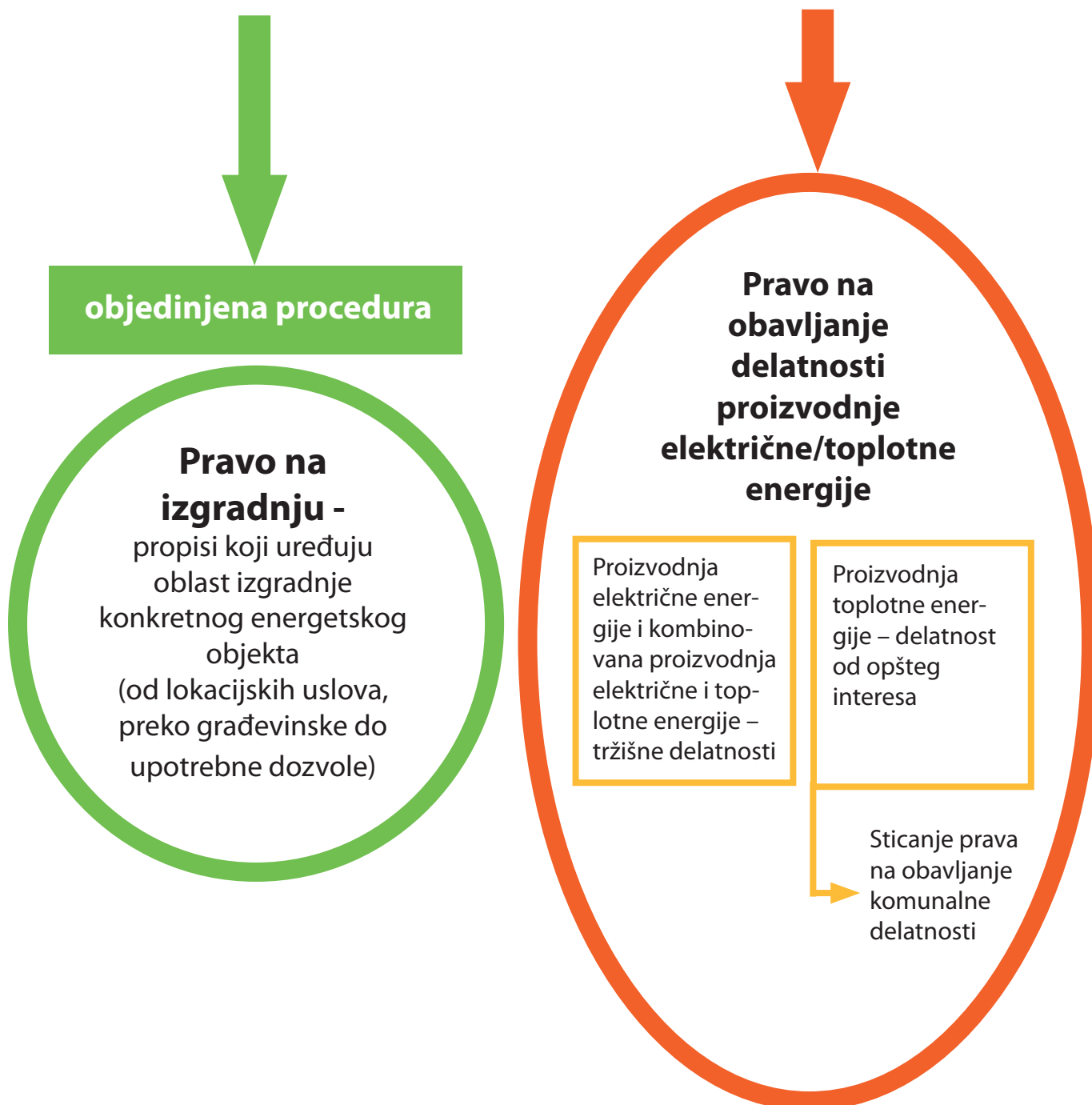
Otpad životinjskog porekla (leševi životinjskog porekla i njihovi delovi i sastavni delovi životinjskog tela koji nisu namenjeni ili bezbedni za ishranu ljudi, kao i konfiskat) iz objekata za uzgoj, držanje, klanje životinja, kao i iz objekata za proizvodnju, skladištenje i promet proizvoda životinjskog porekla, fekalne materije sa farmi i druge prirodne, neopasne supstance koje se koriste u poljoprivredi

Sve ostalo....

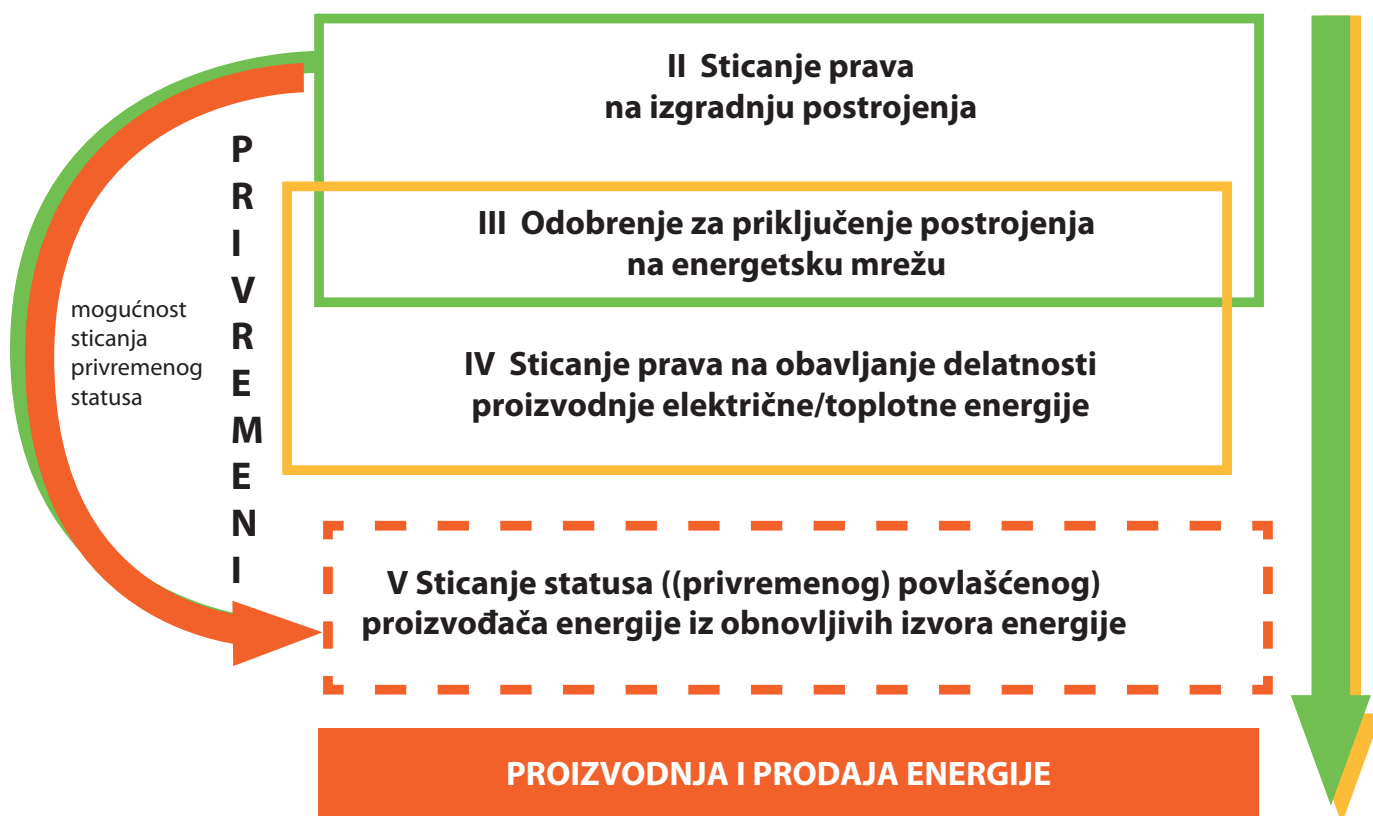
Podleže odredbama Zakona o upravljanju otpadom

I Postrojenja na biomasu/biogas

Investitor treba da stekne sledeća prava:

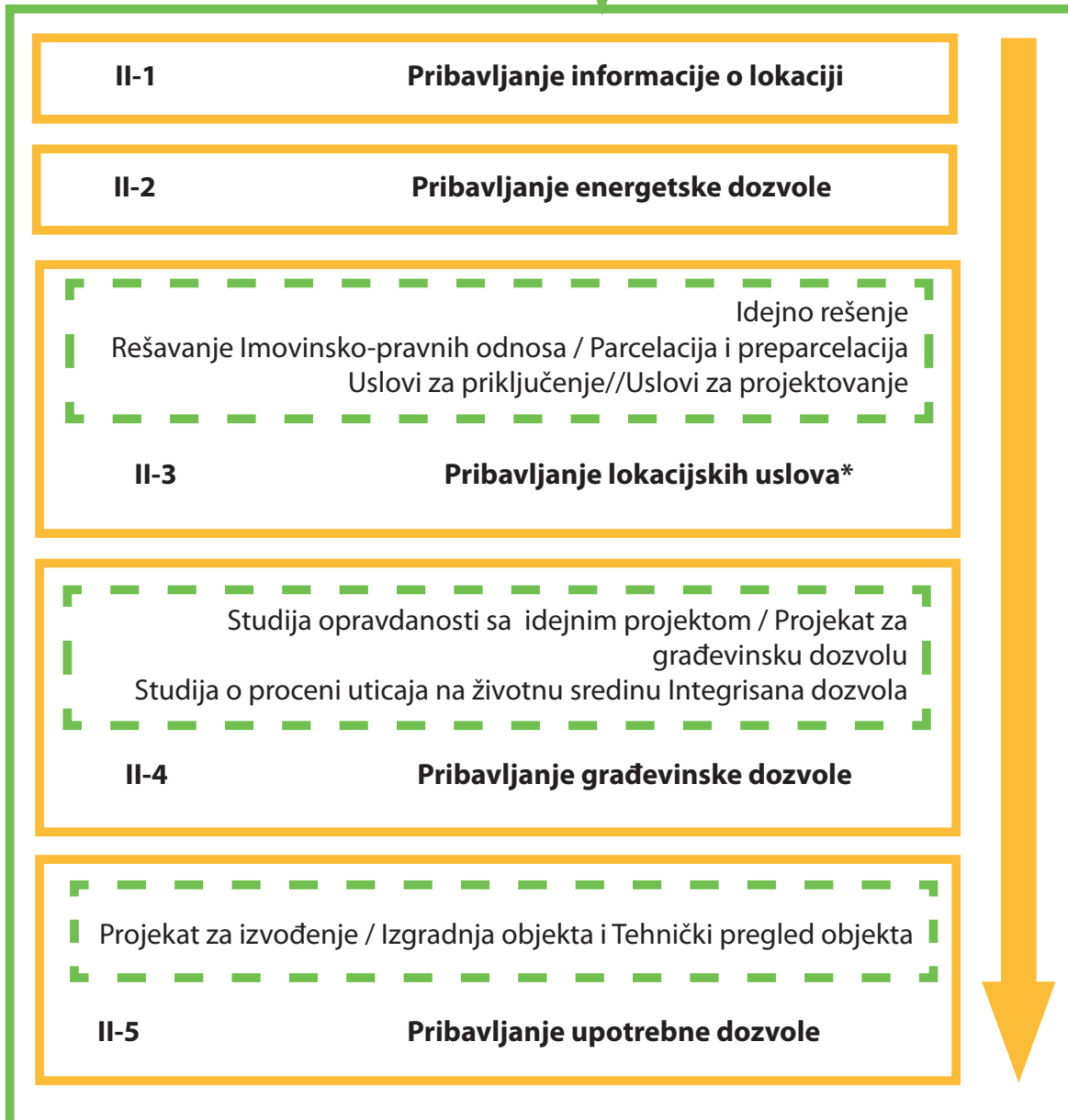


I Osnovni koraci od ideje do korišćenja postrojenja



II Sticanje prava na izgradnju postrojenja

II Sticanje prava na izgradnju postrojenja



*može se sprovesti pre ili posle pribavljanja energetske dozvole

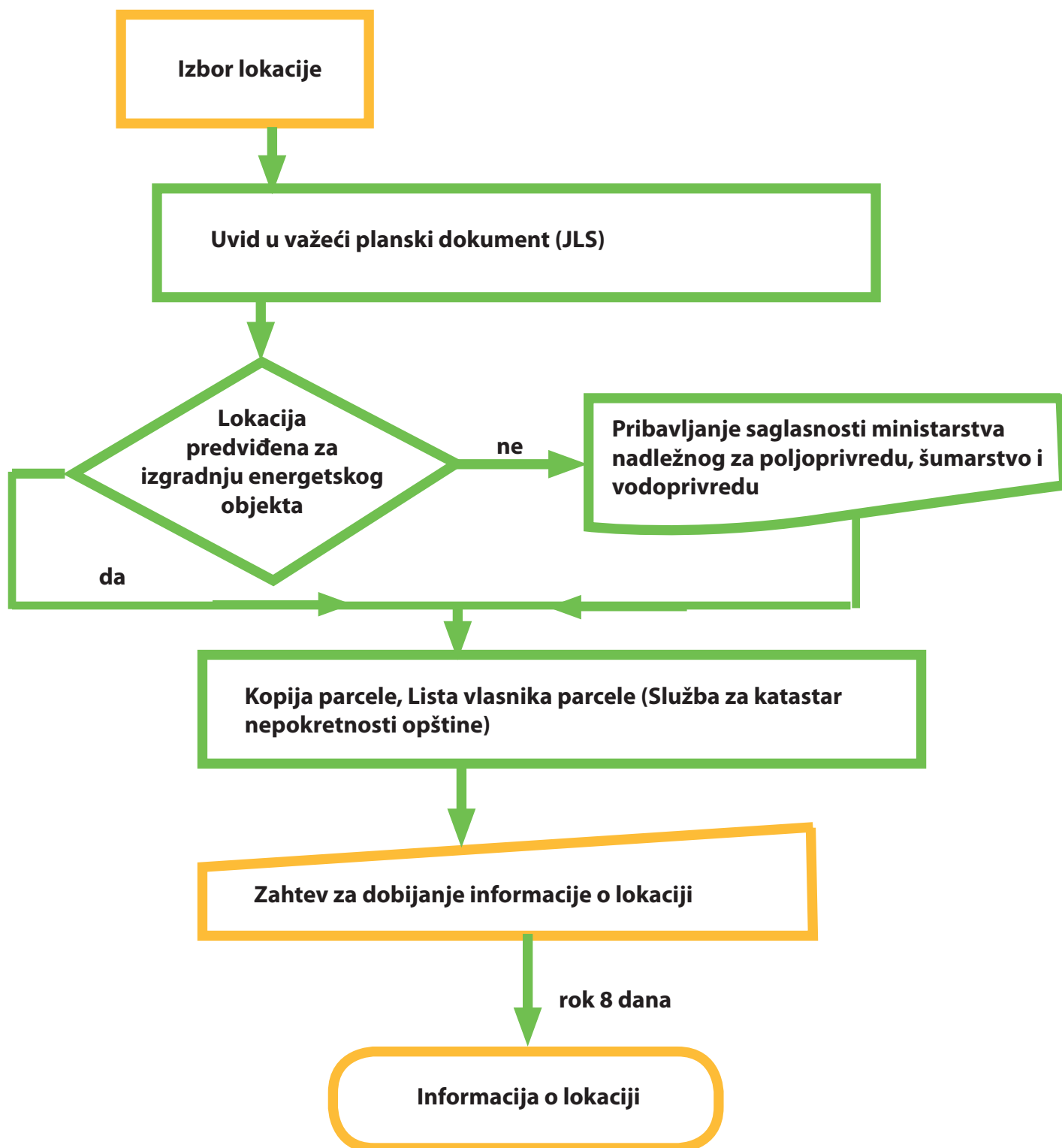
II-1 Informacija o lokaciji

- Informacija o lokaciji sadrži podatke o mogućnostima i ograničenjima gradnje na katastarskoj parceli/više katastarskih parcela, na osnovu planskog dokumenta.
- **Zahtev za izdavanje informacije o lokaciji*:**
 - Podnosi se nadležnom organu:
 1. ministarstvo nadležno za poslove građevinarstva, odnosno nadležni organ AP ukoliko se postrojenje na biomasu/biogas nalazi na teritoriji autonomne pokrajine za objekte koji su snage 10 MW i više i ukoliko objekti bez obzira na njihovu snagu ispunjavaju druge uslove iz člana 133. Zakona o planiranju i izgradnji,
 2. organ JLS na čijoj teritoriji se nalazi željena lokacija za izgradnju postrojenja, ukoliko se ne radi o objektima navedenim u članu 133. Zakona o planiranju i izgradnji
 - Sadržaj zahteva: zahtev uz koji se podnosi kopija plana parcele/a (izdaje nadležni katastar za teritoriju opštine gde će se graditi postrojenje)
 - Rok za rešavanje po zahtevu: 8 dana od dana podnošenja zahteva

Napomena: Prilikom podnošenja zahteva za izdavanje kopije plana, preporuka je da se podnese zahtev za izdavanje prepisa lista nepokretnosti za katastarsku parcelu/e, kako bi se utvrdio vlasnik zemljišta

*više na: www.mgsi.gov.rs

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



II-2 Energetska dozvola

- Energetska dozvola je akt neophodan za pribavljanje građevinske dozvole
- **Zahtev za izdavanje energetske dozvole*:**
 - Podnosi se:
 - 1) ministarvu nadležnom za oblast energetike, za postrojenje na biomasu/biogas za proizvodnju električne energije i kombinovanu proizvodnju električne i toplotne energije,
 - 2) nadležni organ JLS, za postrojenje na biomasu/biogas za proizvodnju toplotne energije.
 - Sadržaj zahteva:
 - 1) Obrazac O-1 - Zahtev za izdavanje - produženje roka važenja energetske dozvole za izgradnju energetskog objekta za proizvodnju električne energije snage 1 MW i više, objekta za proizvodnju električne energije snage do 1 MW koji kao primarni energetski resurs koriste vodu i objekta za kombinovanu proizvodnju električne i toplotne energije u termoelektranama - toplanama električne snage 1 MW i više i ukupne toplotne snage 1 MW i više,
 - 2) Obrazac O-8 - Zahtev za izdavanje - produženje roka važenja energetske dozvole za izgradnju energetskog objekta za proizvodnju toplotne energije snage 1 MW i više.
 - Rok za rešavanje po zahtevu: 30 dana od dana podnošenja zahteva
 - Rok važenja : 3 godine i može se produžiti najduže za još jednu godinu
 - Rok za žalbu: 15 dana – podnosi se Vladi/ ministarvu nadležnom za oblast energetike

Napomene:

- 1) Energetska dozvola nije potrebna za postrojenja na biomasu/biogas snage manje od 1 MW.
- 2) Energetska dozvola nije potrebna ukoliko se postrojenje gradi u formi javno-privatnog partnerstva ili koncesije.

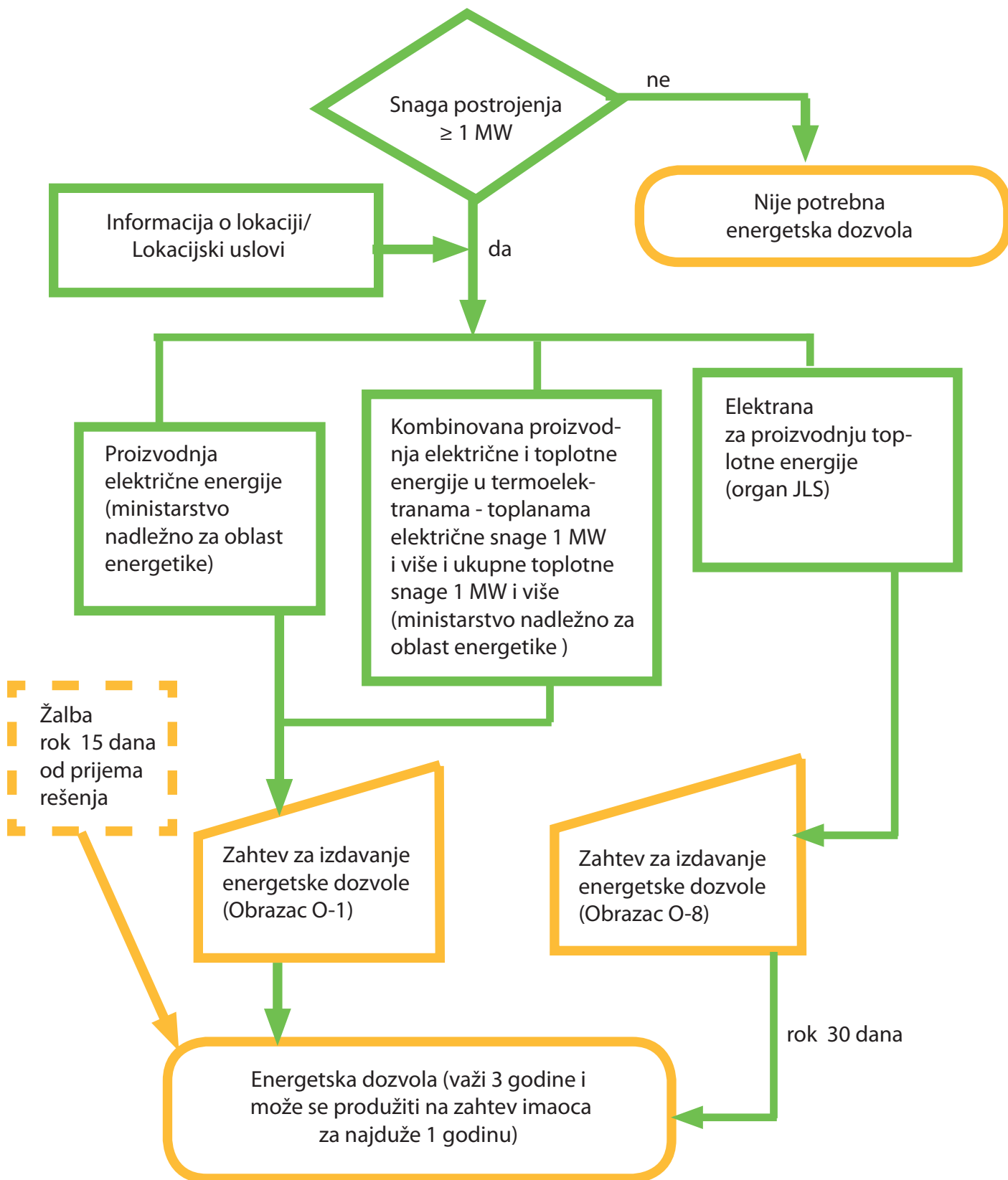
*više na: www.mre.gov.rs

- **Sadržaj zahteva:**

- podaci o: 1) podnosiocu zahteva; 2) energetsom objektu; 3) vrednosti investicije; 4) načinu obezbeđenja finansijskih sredstava; 5) predviđenom eksploatacionom veku objekta, kao i načinu sanacije lokacije po završetku eksploatacionog veka objekta; 6) usklađenost sa odgovarajućim planskim dokumentima u skladu sa zakonom kojim se uređuju uslovi i način uređenja prostora, uređivanje i korišćenje građevinskog zemljišta i izgradnja objekta; 7) roku završetka gradnje energetske objekta. Ukoliko se izgradnja objekta planira na eksploatacionom polju, potrebno je dostaviti i saglasnost ministra nadležnog za poslove geologije i rudarstva.
- uz zahtev se podnosi: 1) za pravno lice, odnosno preduzetnika: izvod o registrovanim podacima (poslovno ime, pravna forma, sedište, delatnost, poreski identifikacioni broj, matični broj); 2) za fizičko lice: fotokopija lične karte, uverenje o državljanstvu i fotokopija pasoša, ako je podnosilac strani državljanin; 3) **informacija o lokaciji ili lokacijski uslovi** (uz koje se podnosi prethodna studija opravdanosti sa generalnim projektom ili studija opravdanosti sa idejnim projektom u skladu sa Zakonom o planiranju i izgradnji i izveštaj revizione komisije, ako generalni projekat, odnosno idejni projekat podleže reviziji u smislu Zakona o planiranju i izgradnji); 4) overena izjava odgovornog projektanta o primeni tehničkih propisa u pogledu građenja objekta, energetske efikasnosti, mogućnosti priključenja objekta na postojeći energetske sistem, protivpožarne zaštite, zaštite na radu i bezbednosti ljudi i imovine, zaštite životne sredine i dr. koji su predviđeni Pravilnikom o energetske dozvoli, ako tehnička dokumentacija (prethodna studija opravdanosti sa generalnim projektom ili studija opravdanosti sa idejnim projektom i izveštaj revizione komisije) ne podleže reviziji u smislu zakona kojim se uređuje planiranje i izgradnja objekta; 5) potvrda o uplati depozita u visini od 0,5% od dinarske vrednosti investicije bez obračunatog poreza na dodatu vrednost ili overen dokument kojim se dokazuje ulaganje sredstava u izgradnju energetske objekta u visini navedenog novčanog depozita; 6) **mišljenje operatora sistema o uslovima i mogućnostima priključenja energetske objekta na energetske sistem.**

Napomena: Dokaz o pravu svojine, odnosno pravu zakupa zemljišta na kome se planira izgradnja energetske objekta nije uslov za izdavanje energetske dozvole.

II-2 Pribavljanje energetske dozvole



II-2 Mišljenje operatora sistema o priključenju energetskog objekta na energetski sistem

- Mišljenje operatora sistema o uslovima i mogućnostima priključenja energetskog objekta na energetski sistem je akt neophodan za pribavljanje energetske dozvole.
- **Zahtev:**
 - Podnosi se: operatoru sistema na čiji energetski sistem će se priključiti postrojenje na biomasu/biogas. na propisanom obrascu.
 - Sadržaj zahteva: utvrđen aktima operatora sistema*.
 - Rok za izdavanje Mišljenja:
Prenosni sistem: 90 dana od datuma avansne uplate, na račun operatora prenosnog sistema, za izradu Studije priključenja objekta na prenosni sistem, a na osnovu Ugovora o izradi Studije priključenja.
Distributivni sistem: 30 dana od dana podnošenja zahteva.
 - Rok važenja: utvrđuje se u samom aktu.

Napomena: Izdavanje ovog mišljenja je utvrđeno u Pravilniku o energetskej dozvoli, ali uslovi, postupak i način izdavanja ovog mišljenja nisu određeni propisima donetim od strane države, već od strane operatora sistema na čiji energetski sistem će se priključiti postrojenje.

*više na: www.ems.rs i www.eps.rs

II-3 Lokacijski uslovi

- Lokacijski uslovi sadrže sve urbanističke, tehničke i druge uslove i podatke potrebne za izradu idejnog, odnosno projekta za građevinsku dozvolu i projekta za izvođenje, kao i druge uslove i podatke koji se odnose na buduće postrojenje na biomasu/biogas
- **Zahtev za izdavanje lokacijskih uslova*:**
 - Podnosi se nadležnom organu u objedinjenoj proceduri:
 - 1) ministarstvo nadležno za oblast građevinarstva, odnosno nadležni organ AP ukoliko se postrojenje na biomasu/biogas nalazi na teritoriji autonomne pokrajine za objekte koji su snage 10 MW i više i ukoliko objekti bez obzira na njihovu snagu ispunjavaju druge uslove iz člana 133. Zakona o planiranju i izgradnji
 - 2) Organu JLS na čijoj teritoriji se nalazi željena lokacija za izgradnju postrojenja, ukoliko se ne radi o objektima navedenim u članu 133. Zakona o planiranju i izgradnji
 - Preduslov – formiranje građevinske parcele (parcelacija/preparcelacija)
 - Sadržaj zahteva – popunjen obrazac sa priložima
 - Rok za rešavanje po zahtevu: 5 radnih dana od dana pribavljanja svih neophodnih uslova za izdavanje lokacijskih uslova
 - Rok važenja : 12 meseci ili dok traje građevinska dozvola
 - Rok za prigovor: 3 dana – podnosi se Vladi/nadležnom veću JLS

Napomene:

- 1) Poseban postupak - pribavljanja uslova za priključenje postrojenja na biomasu/biogas na energetska mrežu
- 2) iako u ovoj fazi nije uslov, potrebno je rešiti imovinske odnose u cilju efikasnije izgradnje objekta

*više na: www.mgsi.gov.rs

Sadržaj* zahteva:

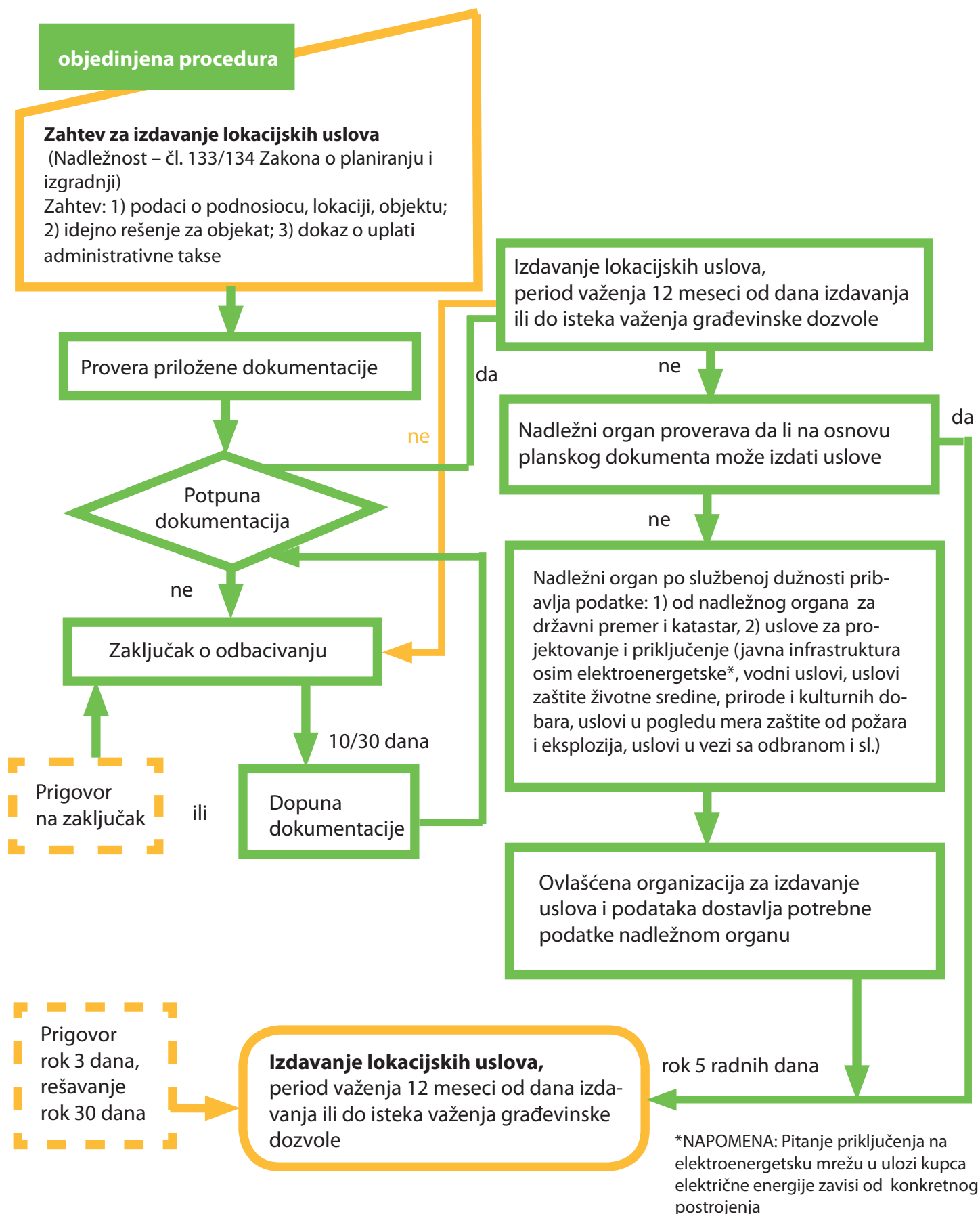
- 1) podaci o lokaciji (adresa i naziv katastarske opštine i brojevi parcela, kao i njihova površina); 2) podaci o objektu za čije građenje se traže uslovi (izgradnja i namena objekta prema Pravilniku o klasifikaciji objekata – („elektrane“), kategorija („G“), klasifikacioni broj („230201“) i bruto razvijena građevinska površina); 3) podaci o postojećim objektima na parceli; 4) izjave u vezi sa troškovima pribavljanja lokacijskih uslova i dostavom; 5) spisak priloga i prilozi i 6) podaci o podnosiocu zahteva.

- **uz zahtev se podnosi:** 1) idejno rešenje budućeg postrojenja na biomasu/biogas, odnosno dela postrojenja (skica, crtež, grafički prikaz i sl.), izrađeno i opremljeno priložima u skladu sa Uputstvom o načinu postupanja nadležnih organa i imalaca javnih ovlašćenja koja sprovode objedinjenu proceduru u pogledu vodnih akata u postupcima ostvarivanja prava na gradnju i pravilnikom kojim se uređuje sadržina tehničke dokumentacije i
2) dokaz o plaćenju administrativnoj taksi za podnošenje zahteva. Ukoliko postrojenje na biomasu/biogas utiče na vodni režim, uz zahtev se podnosi 3) Hidrološka studija.

Napomena: Ukoliko postrojenje na biomasu/biogas utiče na vodni režim, u postupku objedinjene procedure će se pribavljati vodni uslovi u kom postupku je potrebno izraditi hidrološku studiju.

*više na: www.mgsi.gov.rs - Uputstvo o načinu postupanja nadležnih organa i imalaca javnih ovlašćenja koja sprovode objedinjenu proceduru u pogledu vodnih akata u postupcima ostvarivanja prava na gradnju, <http://www.mgsi.gov.rs/cir/dokumenti/uputstvo-o-nacinu-postupanja-nadlezhnih-organa-i-imalaca-javnih-ovlashtshenja-koji-0>

II-3 Pribavljanje lokacijskih uslova



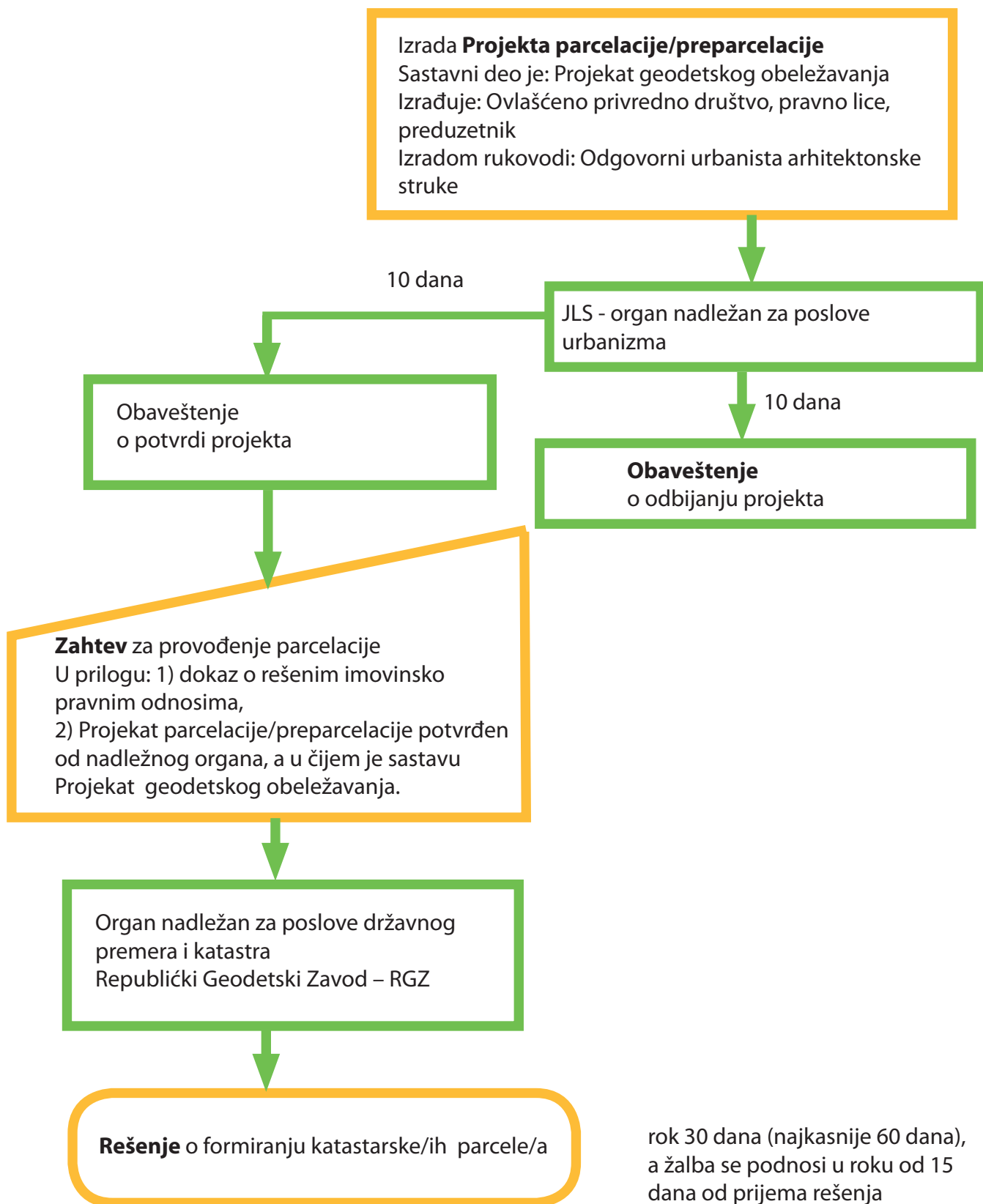
II-3 Parcelacija/preparcelacija

- Parcelacija/preparcelacija je postupak formiranja građevinske parcele koja je adekvatna postrojenju na biomasu/biogas, a koja može biti manje ili veće površine od površine predviđene planskim dokumentom za tu zonu, pod uslovom da postoji pristup objektu, odnosno uređajima, radi održavanja i otklanjanja kvarova ili havarije
- **Zahtev za sprovođenje parcelacije/preparcelacije*:**
 - Podnosi se nadležnom organu za poslove državnog premera i katastra (RGZ)
 - Preduslov: izrada projekta geodetskog obeležavanja
 - Sadržaj zahteva: zahtev sa podacima o podnosiocu i objektu uz koji se prilaže:1) dokaz o rešenim imovinsko pravnim odnosima za sve katastarske parcele i 2) projekat preparcelacije, odnosno parcelacije, potvrđen od strane organa nadležnog za poslove urbanizma, jedinice lokalne samouprave, a čiji sastavni deo je i Projekat geodetskog obeležavanja
 - Rok za rešavanje po zahtevu: 30 dana
 - Rok važenja : do promene
 - Rok za prigovor: 15 dana – podnosi se shodno zakonu i uputstvu o pravnom leku

Napomena: kao rešen pristup javnoj saobraćajnoj površini priznaje se i ugovor o pravu službenosti prolaza sa vlasnikom poslužnog dobra.

*više na: www.mgsi.gov.rs

II-3 Sprovođenje parcelacije/preparcelacije



II-3 Uslovi za priključenje*

- Uslovima za priključenje se definiše mogućnost priključenja postrojenja na biomasu/biogas na energetski sistem, odnosno definišu se energetski i tehnički uslovi potrebni za izradu idejnog, odnosno projekta za građevinsku dozvolu i projekta za izvođenje, kao i tehnički, projektni i pogonski standardi koje treba da ispune operator prenosnog/distributivnog sistema i objekti korisnika koji se priključuju na prenosni/distributivni sistem.
- **Zahtev:**
 - Podnosi se: operatoru energetskog sistema/mreže na čiji sistem će se postrojenje na biomasu/biogas priključiti. na propisanom obrascu.
 - Sadržaj zahteva: utvrđen aktima operatora sistema.
 - Rok za izdavanje:

Prenosni sistem: 90 dana od datuma avansne uplate, na račun operatora prenosnog sistema, za izradu Studije priključenja objekta na prenosni sistem, a na osnovu Ugovora o izradi Studije priključenja.

Distributivni sistem i sistem za daljinsko grejanje: 30 dana od dana podnošenja zahteva.

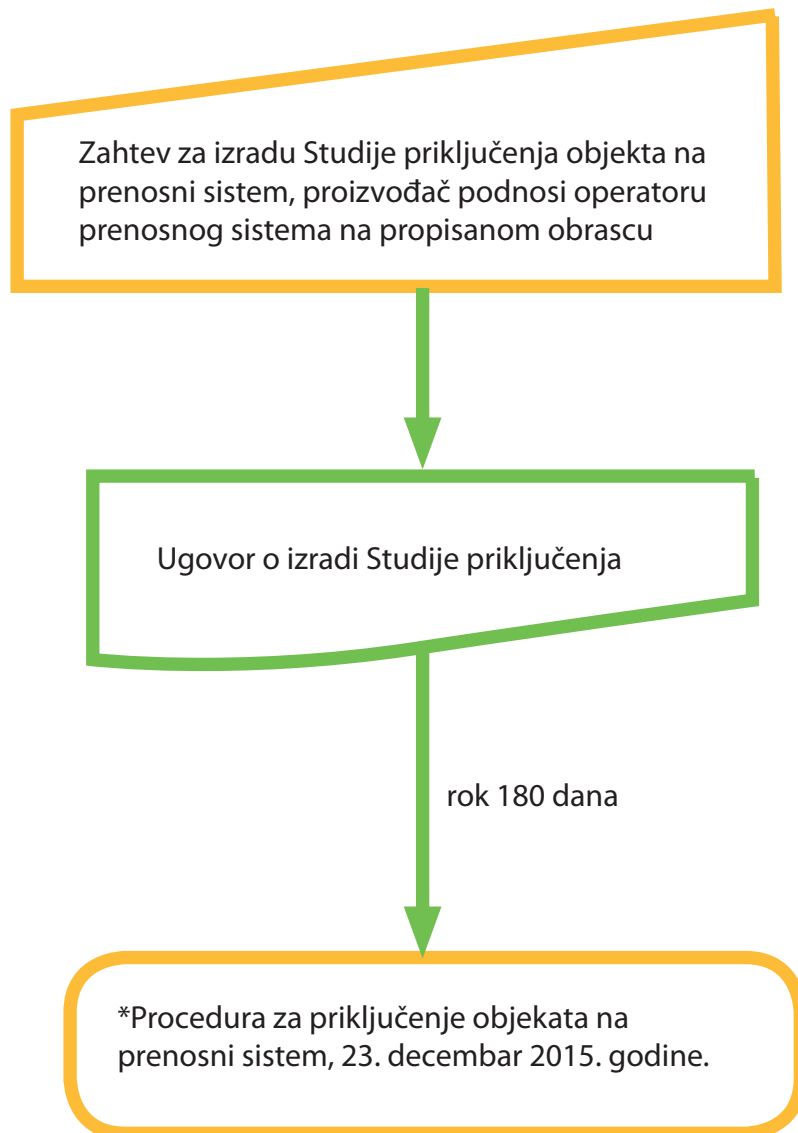
- Rok važenja: utvrđuje se u samom aktu.
- Rok za žalbu: ne postoji mogućnost žalbe.

Napomene:

- 1) operator energetskog sistema izdaje uslove za priključenje uz nadoknadu stvarnih troškova izrade.
- 2) uslovi za priključenje objekta za proizvodnju energije na elektroenergetsku mrežu se ne pribavljaju u objedinjenoj proceduri utvrđenoj Zakonom o planiranju i izgradnji. Ipak, ako postoji potreba da se objekat za proizvodnju električne energije priključi kao kupac na (distributivni) elektroenergetski sistem, tada se pribavljanje uslova za priključenje vrši kroz objedinjenu proceduru.

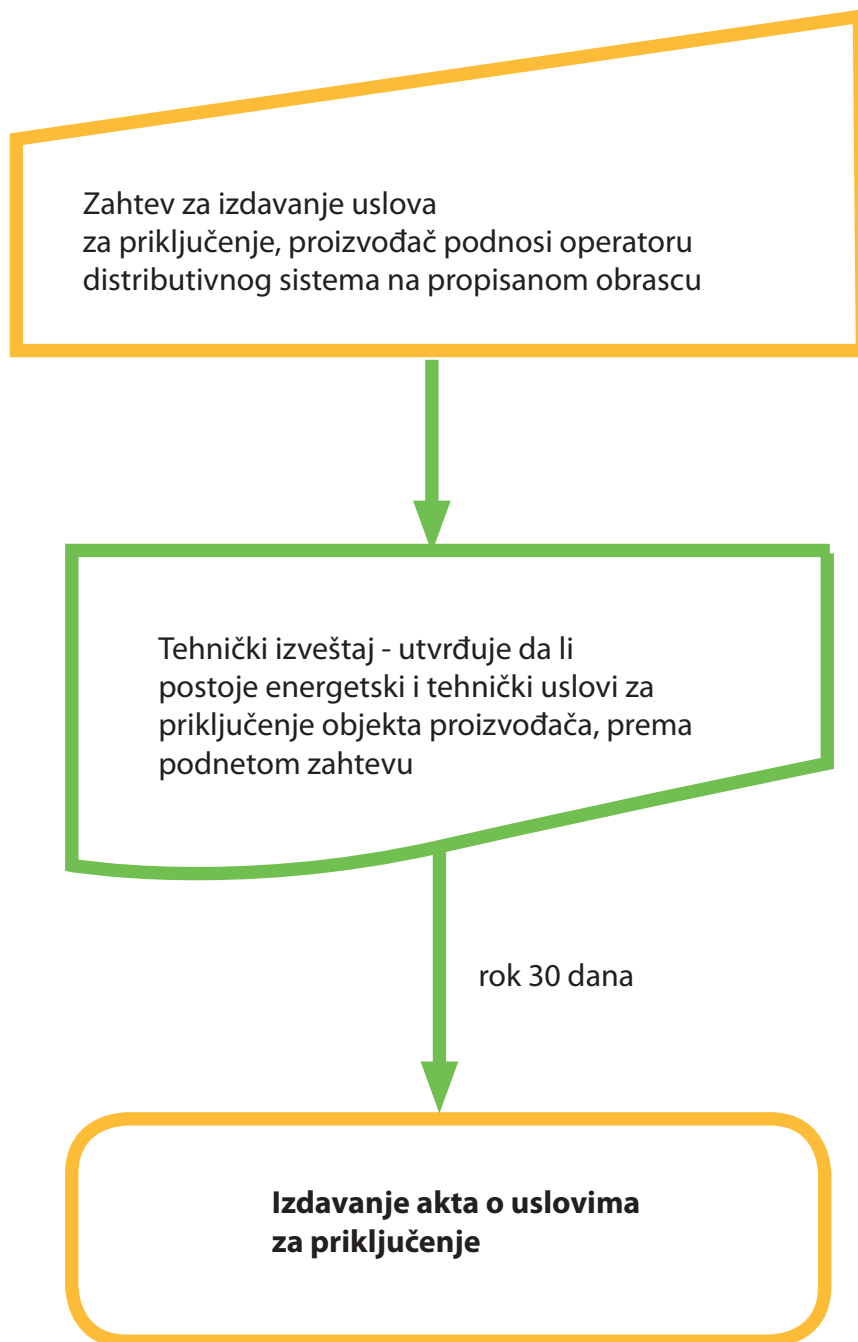
*ovde su obrađeni uslovi za priključenje na elektroenergetsku mrežu, čija shodna primena se preporučuje za pribavljanje uslova za priključenje na energetsku mrežu za daljinsko grejanje

II-3 Uslovi za priključenje na prenosni sistem

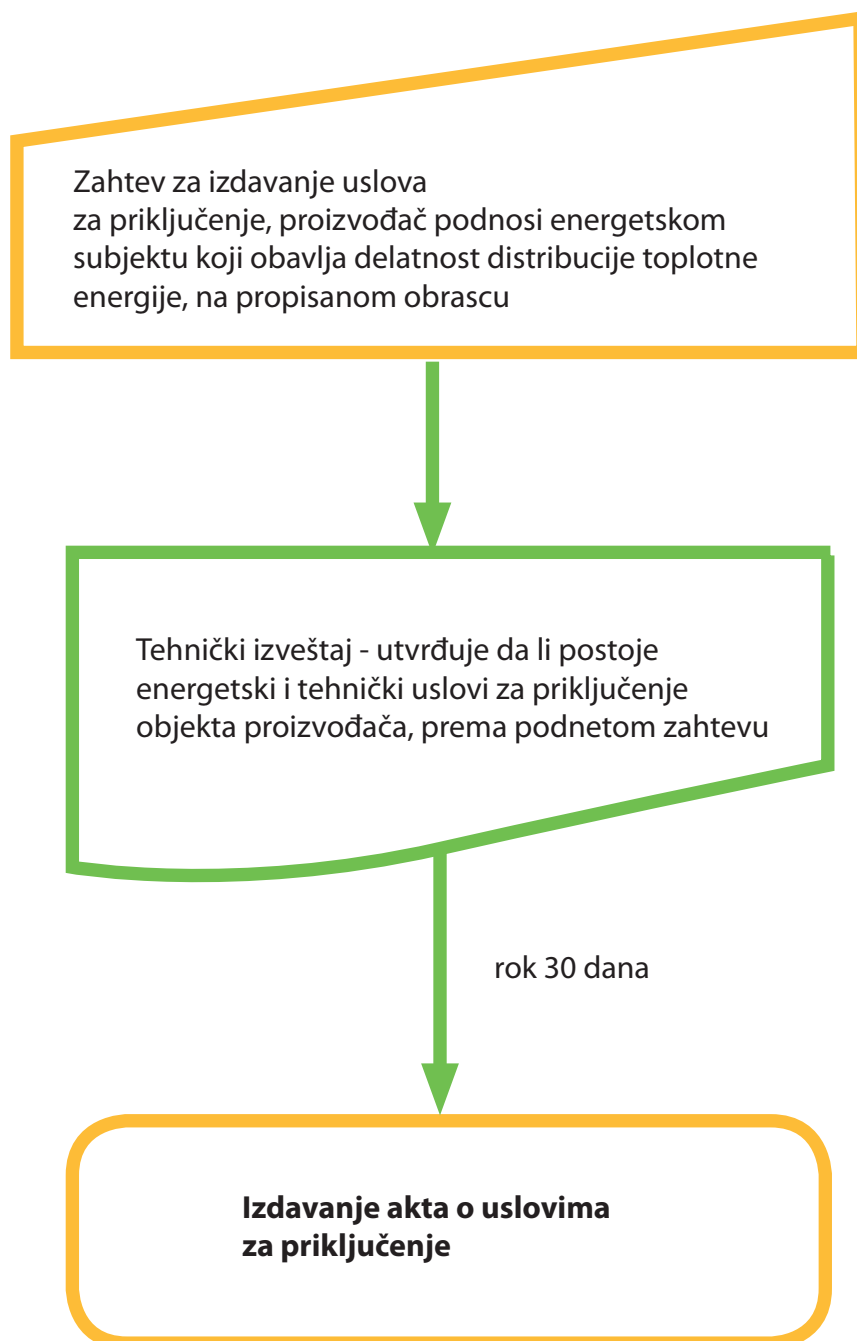


Deo Studije priključenja koji se izrađuje za sve proizvođače sadrži, između ostalog, i: 1) tehničke uslove za izradu planske i urbanističke dokumentacije; 2) mišljenje operatora prenosnog sistema o uslovima i mogućnostima priključenja na prenosni sistem i 3) projektne zadatke za priključak na prenosni sistem. Vremenski rok za izradu ovog dela Studije je 90 dana od datuma avansne uplate za izradu iste na račun operatora prenosnog sistema.*

II-3 Uslovi za priključenje na distributivni sistem



II-3 Uslovi za priključenje na sistem za daljinsko grejanje



II-4 Građevinska dozvola

- Građevinska dozvola je upravni akt, koji je uslov za početak izgradnje objekta.
Ona je uslov za sticanje statusa privremenog povlašćenog proizvođača električne energije.
Po pribavljanju građevinske dozvole može se podneti zahtev za pribavljanje odobrenja za priključenje na energetska mrežu
- **Zahtev za izdavanje građevinske dozvole*:**
 - Podnosi se nadležnom organu u objedinjenoj proceduri:
 - 1) ministarstvo naležno za poslove građevinarstva, odnosno nadležni organu AP ukoliko se postrojenje na biomasu/biogas nalazi na teritoriji autonomne pokrajine za objekte koji su snage 10 MW i više i ukoliko objekti bez obzira nanjihovu snagu ispunjavaju druge uslove iz člana 133. Zakona o planiranju i izgradnji.
 - 2) Organu JLS na čijoj teritoriji se nalazi željena lokacija za izgradnju postrojenja, ukoliko se ne radi o objektima navedenim u članu 133. Zakona o planiranju i izgradnji
 - Preduslov: 1) izrada studije o proceni uticaja na životnu sredinu, 2) pribavljanje integrisane dozvole za objekte, 3) izrada tehničke dokumentacije na kojoj je primenjena tehnička kontrola
 - Sadržaj zahteva: popunjen obrazac sa priložima
 - Rok za rešavanje po zahtevu: 5 radnih dana od dana pribavljanja svih neophodnih uslova za izdavanje lokacijskih uslova
 - Rok važenja: 2 godine, ukoliko se ne otpočne gradnja/5 godina, ukoliko se ne pribavi upotrebna dozvola ukoliko je građevinsku dozvolu izdalo Ministarstvo nadležno za poslove građevinarstva – može se produžiti u skladu sa zakonom
 - Rok za žalbu: 8 dana – podnosi se Vladi/ministarstvu naležnom za poslove građevinarstva ,nadležnom organu AP/grada Beograda

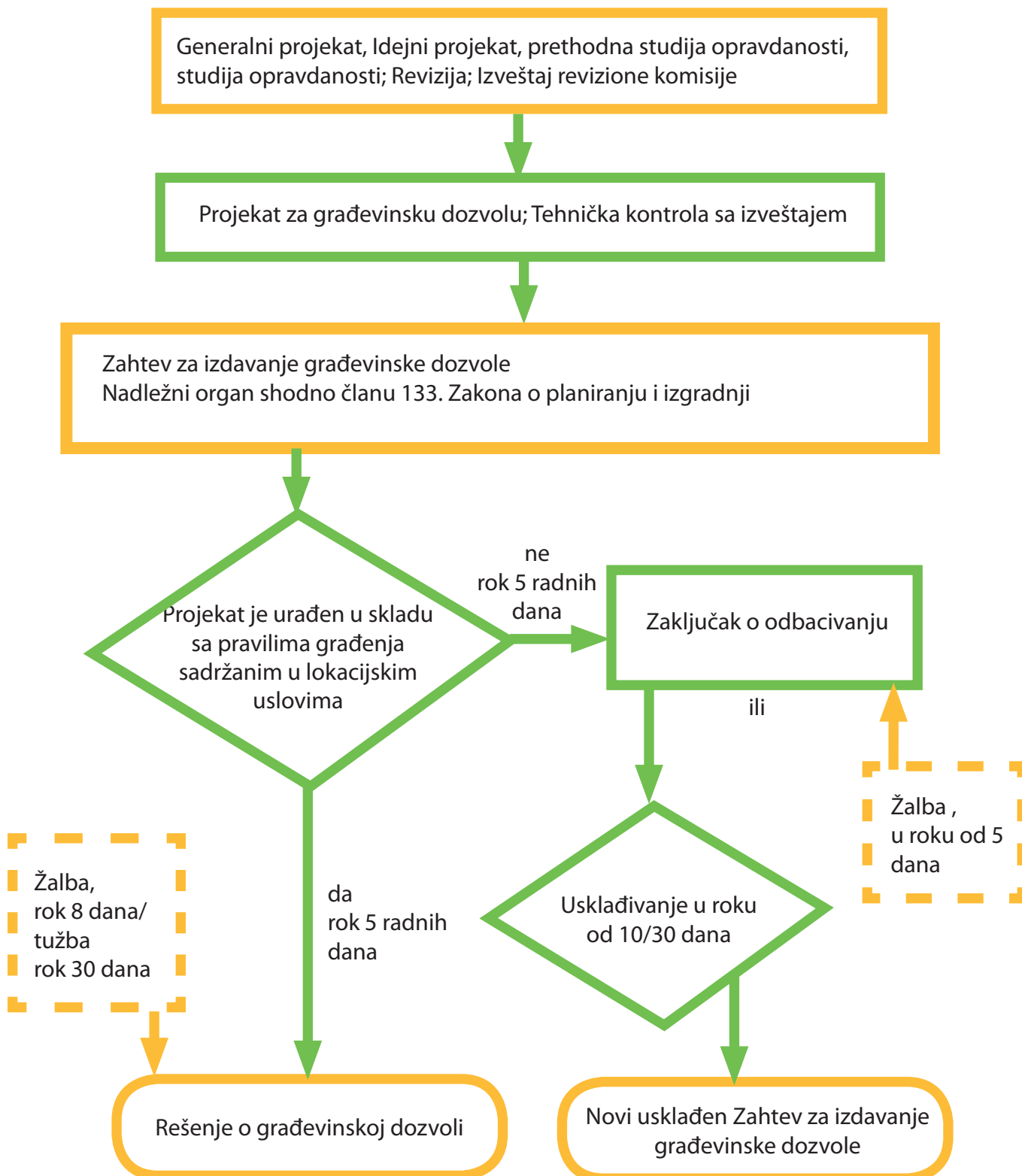
*više na: www.mgsi.gov.rs

- **Sadržaj zahteva*:**

- 1) ime i prezime investitora, odnosno poslovno ime ili naziv investitora sa PIB i podatkom o sedištu, odnosno adresi; 2) podatke o objektu čije se građenje, odnosno dogradnja dozvoljava (namena objekta: stambeni, poslovni, industrijski, energetska, saobraćajni, gabaritu, volumenu, ukupnoj površini, dograđenoj površini, predračunskoj vrednosti i dr.); 3) oznaku lokacije na kojoj je predviđena izgradnja, odnosno dogradnja objekta (oznaka katastarske parcele sa adresom na kojoj se objekat nalazi); 4) spisak priloga. U slučaju da se objekat gradi po delovima koji predstavljaju tehničku i funkcionalnu celinu, zahtev sadrži i podatke o planiranim fazama, odnosno etapama građenja i konačnom roku završetka radova.
- **uz zahtev se podnosi:** 1) izvod iz projekta za građevinsku dozvolu, izrađen u skladu sa pravilnikom kojim se uređuje sadržina tehničke dokumentacije; 2) **projekat za građevinsku dozvolu**, u elektronskoj formi, kao i onoliko primeraka u papirnoj formi koliko podnosilac zahteva želi da mu nadležni organ overi i vrati prilikom izdavanja građevinske dozvole; 3) dokaz o uplaćenju administrativnoj taksi za podnošenje zahteva i donošenje rešenja o građevinskoj dozvoli; 4) **energetska dozvola** za izgradnju postrojenja na biomasu/biogasu snage 1 MW i više; 5) dokaz o odgovarajućem pravu na zemljištu ili objektu u smislu Zakona o planiranju i izgradnji, osim ako je to pravo upisano u javnoj knjizi ili je uspostavljeno zakonom; 6) ugovor između investitora i finansijera, ako postoji; 7) ugovor između investitora i imaooca javnih ovlašćenja, odnosno drugi dokaz o obezbeđivanju nedostajuće infrastrukture, ako je to uslov za izdavanje građevinske dozvole predviđen lokacijskim uslovima; 8) **izveštaj revizione komisije**, za objekte za koje građevinsku dozvolu izdaje ministarstvo, odnosno nadležni organ autonomne pokrajine; 9) **energetska dozvola**, izdata u skladu sa posebnim zakonom, za izgradnju energetskih objekata za koje postoji obaveza pribavljanja energetske dozvole; 10) saglasnost preostalih suvlasnika, overena u skladu sa zakonom, ako se gradi ili se izvode radovi na građevinskom zemljištu ili objektu koji je u suvlasništvu više lica; 11) **uslovi za projektovanje i priključenje objekata na distributivni, odnosno prenosni sistem električne energije**, kao i na distributivni, odnosno sistem za transport prirodnog gasa, koji su pribavljeni u skladu sa zakonom kojim se uređuje oblast energetike, a nisu sadržani u lokacijskim uslovima. Za objekte za koje je propisano plaćanje doprinosa za uređenje građevinskog zemljišta, sastavni deo zahteva iz stava 1. ovog člana je i izjašnjenje podnosioca o načinu plaćanja doprinosa za uređenje građevinskog zemljišta, kao i sredstvima obezbeđenja u slučaju plaćanja na rate, za objekte čija ukupna bruto razvijena građevinska površina prelazi 200 m² i koji sadrži više od dve stambene jedinice.

*više na: www.mgsi.gov.rs

II-4 Pribavljanje građevinske dozvole



II-4 Studija o proceni uticaja na životnu sredinu

- Studija o proceni uticaja na životnu sredinu postrojenja na biomasu/biogas se izrađuje u zavisnosti od snage postrojenja, jer je to u direktnoj srazmeri sa uticajem ovog postrojenja na životnu sredinu.
- Studija o proceni uticaja na životnu sredinu za postrojenja na biomasu/biogas: 1) nije potrebna ukoliko je snaga postrojenja do 1 MW, 2) izrada ove studije se može zahtevati ukoliko je snaga postrojenja 1-50 MW, 3) obavezna je izrada ove studije za postrojenja snage preko 50 MW.
- **Zahtev u vezi sa izradom studije o proceni uticaja na životnu sredinu:**

- 1) Zahtev o potrebi procene uticaja*
- 2) Zahtev za određivanje obima i sadržaja studije o proceni uticaja*
- 3) Zahtev za davanje saglasnosti na studiju o proceni uticaja*

- Podnosi se nadležnom organu u objedinjenoj proceduri:

- 1) ministarstvu nadležnom za poslove zaštite životne sredine, odnosno nadležnom organu AP ukoliko se postrojenje na biomasu/biogas nalazi na teritoriji AP za objekte koji su snage 10 MW i više i ukoliko objekti bez obzira na njihovu snagu ispunjavaju druge uslove iz člana 133. Zakona o planiranju i izgradnji.
- 2) organu JLS na čijoj teritoriji se nalazi željena lokacija za izgradnju postrojenja, ukoliko se ne radi o objektima navedenim u članu 133. Zakona o planiranju i izgradnji

*više na: www.mpzss.gov.rs

- **Zahtev o potrebi procene uticaja*:**

Sadržaj zahteva:

- 1) podatke o nosiocu projekta; 2) opis lokacije; 3) opis karakteristika projekta; 4) prikaz glavnih alternativa koje su razmatrane; 5) opis činilaca životne sredine koji mogu biti izloženi uticaju; 6) opis mogućih značajnih štetnih uticaja projekta na životnu sredinu; 7) opis mera predviđenih u cilju sprečavanja, smanjenja i otklanjanja značajnih štetnih uticaja; 8) druge podatke i informacije na zahtev nadležnog organa

uz zahtev se podnosi: 1) Informacija o lokaciji ili potvrđeni Urbanistički projekat (ne stariji od godinu dana); 2) idejno rešenje ili idejni projekat, odnosno izvod iz idejnog projekta; 3) grafički prikaz mikro i makro lokacije; 4) uslovi i saglasnosti drugih nadležnih organa i organizacija pribavljeni u skladu sa posebnim zakonom; 5) dokaz o uplati republičke administrativne takse; 6) drugi dokazi na zahtev nadležnog organa.

- Rok za rešavanje po zahtevu: 10 dana za obaveštavanje javnosti + 10 dana za prijem obaveštenja + 10 dana za odlučivanje o zahtevu + 3 dana za dostavljanje odluke
- Rok za žalbu: 15 dana – podnosi investitor/javnost Vladi/ministarstvu nadležnom za poslove zaštite životne sredine
- Rok za odlučivanje po žalbi: 30 dana

*više na: www.mpzss.gov.rs

- **Zahtev za određivanje obima i sadržaja studije o proceni uticaja:**

- Sadržaj zahteva:

1) podaci o nosiocu projekta, 2) opis projekta, 3) prikaz glavnih alternativa koje su razmatrane, 4) opis činilaca životne sredine koji mogu biti izloženi uticaju, 5) opis mogućih značajnih štetnih uticaja, 6) opis mera predviđenih u cilju sprečavanja, smanjenja i otklanjanja značajnih štetnih uticaja, 7) netehnički rezime podataka od 2) do 6), 8) podatke o mogućim teškoćama na koje je naišao nosilac projekta u prikupljanju podataka i dokumentacije, 9) druge podatke i informacije na zahtev nadležnog organa.

Uz zahtev se podnosi: 1) izvod iz urbanističkog plana ili potvrđeni urbanistički projekat, odnosno akt o urbanističkim uslovima koji nije stariji od godinu dana, 2) idejni projekat, odnosno izvod iz idejnog projekta, 3) grafički prikaz makro i mikro lokacije, 4) uslovi i saglasnosti drugih nadležnih organa i organizacija pribavljenih u skladu sa posebnim zakonom, 5) dokaz o uplati republičke administrativne takse i 6) drugi dokazi na zahtev nadležnog organa.

- Preduslov: zakonom ili odlukom nadležnog organa utvrđena potreba izrade Studije o proceni uticaja

- Rok za rešavanje po zahtevu: 10 dana za obaveštavanje javnosti + 15 dana za prijem obaveštenja + 10 dana za odlučivanje o zahtevu + 3 dana za dostavljanje odluke

- Rok važenja: godinu dana

- Rok za žalbu: 15 dana – podnosi investitor/javnost Vladi/MPZZŠ

- Rok za odlučivanje po žalbi: 30 dana

*više na: www.mpzss.gov.rs

- **Zahtev za davanje saglasnosti na studiju o proceni uticaja:**

- Sadržaj zahteva:

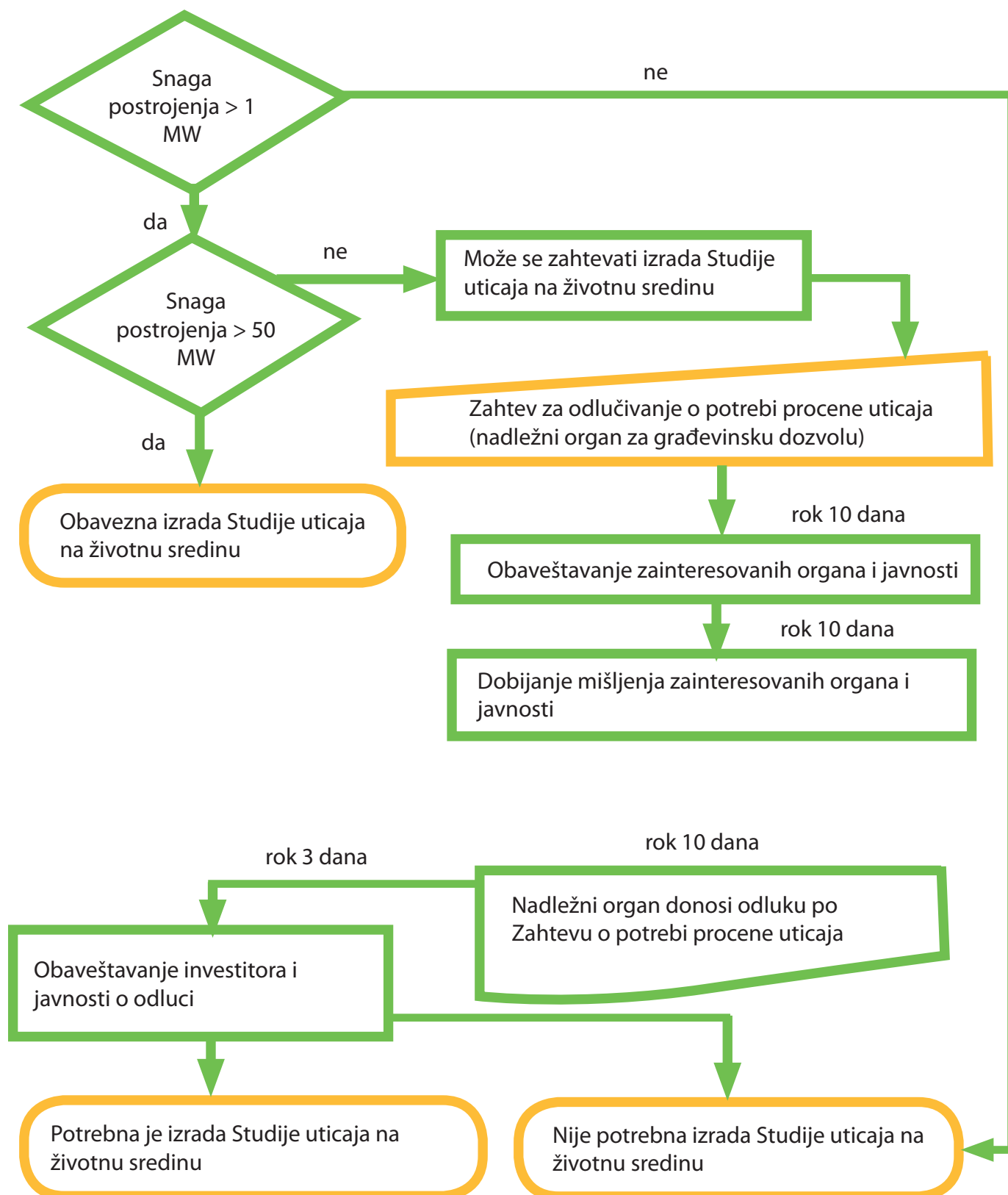
- 1) Studija o proceni uticaja postrojenja na biomasu/biogas uz koju se prilažu i pribavljeni uslovi i saglasnosti drugih nadležnih organa i organizacija

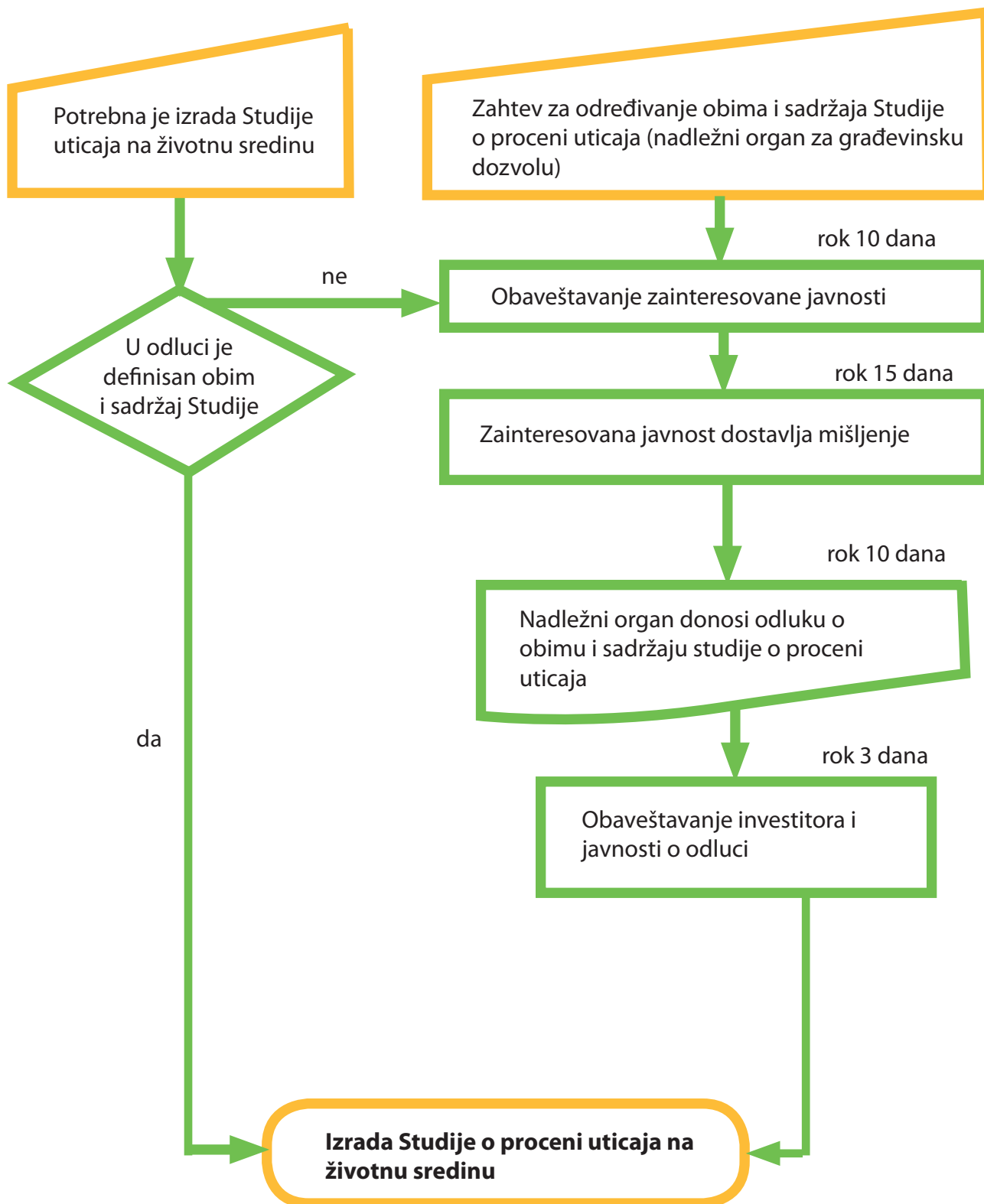
uz zahtev se podnosi: 1) odluka nadležnog organa o utvrđivanju potrebe izrade studije o proceni uticaja (ukoliko je bio sproveden ovaj postupak); 2) odluka nadležnog organa o obimu i sadržaju studije o proceni uticaja na životnu sredinu

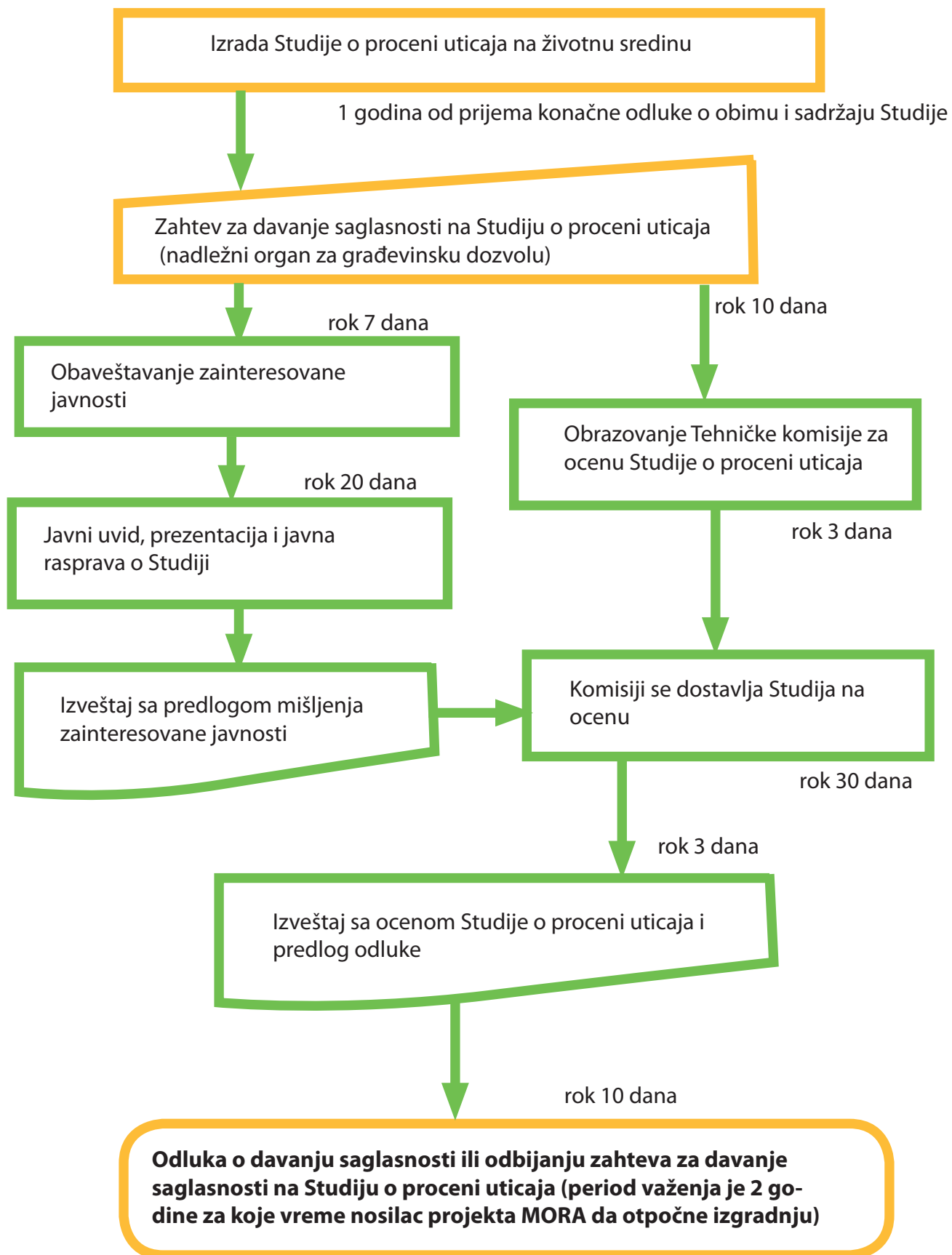
- Preduslovi: 1) odluka nadležnog organa o određivanju obima i sadržaja studije o proceni uticaja na životnu sredinu, 2) da nije prošlo više od godinu dana od pravnosnažnosti odluke o određivanju obima i sadržaja studije o proceni uticaja na životnu sredinu
- Rok za rešavanje po zahtevu: 7 dana za obaveštavanje javnosti o vremenu i mestu održavanja javne rasprave o studiji + najmanje 20 dana za sprovođenje javne rasprave + 3 dana za dostavljanje Izveštaja sa pregledom mišljenja zainteresovanih strana na javnoj raspravi Komisiji za ocenu stidije o proceni uticaja + 30 dana za dostavljanje izveštaja ove Komisije sa predlogom odluke nadležnom organu + 10 dana dostavljanje odluke o davanju saglasnosti na studiju i odbijanju zahteva zainteresovanim stranama
- Rok važenja: 2 godine – investitor je dužan da otpočne sa građenjem postrojenja na biomasu/biogas
- Rok za žalbu: 15 dana – podnosi investitor/javnost Vladi/ministarstvu nadležnom za oblast zaštite životne sredine
- Rok za odlučivanje po žalbi: 30 dana

*više na: www.mpzss.gov.rs

II-4 Procena uticaja na životnu sredinu







II-4 Integrisana dozvola

- Integrisana dozvola je regulisana Zakonom o integrisanom sprečavanju i kontroli zagađivanja životne sredine. Integrisana dozvola je potrebna samo za ona postrojenja na biomasu/biogasu sa toplotnim ulazom iznad 50 MW
- **Zahtev za izdavanje integrisane dozvole*:**
 - 1) Podnosi se nadležnom organu u objedinjenoj proceduri:
 - 1) ministarstvu nadležnom za poslove zaštite životne sredine, odnosno nadležnom organu AP ukoliko se postrojenje na biomasu/biogasu nalazi na teritoriji AP za objekte koji su snage 10 MW i više i ukoliko objekti bez obzira na njihovu snagu ispunjavaju druge uslove iz člana 133. Zakona o planiranju i izgradnji
 - 2) Organu JLS na čijoj teritoriji se nalazi željena lokacija za izgradnju postrojenja, ukoliko se ne radi o objektima navedenim u članu 133. Zakona o planiranju i izgradnji
 - Sadržaj zahteva: popunjen Obrazac 1 sa priložima
 - Rok za rešavanje po zahtevu: 120 dana (izuzetno 240 dana) od dana prijema urednog zahteva u okviru koga se sprovodi učešće javnosti (zainteresovanih organa i organizacija i analiza tehničke komisije)
 - Rok važenja: utvrđuje se u dozvoli
 - Rok za žalbu: nije dopuštena žalba. Može se samo pokrenuti upravni spor u roku o 30 dana

Napomena: Izdata dozvola podleže ponovnom razmatranju (u daljem tekstu: revizija) najmanje dva puta u toku važenja. Postupak revizije nadležni organ pokreće po službenoj dužnosti ili na zahtev operatera. Pravilnik o sadržini i izgledu integrisane dozvole („Sl. glasnik RS“ br. 30/06).

*više na: www.mpzss.gov.rs

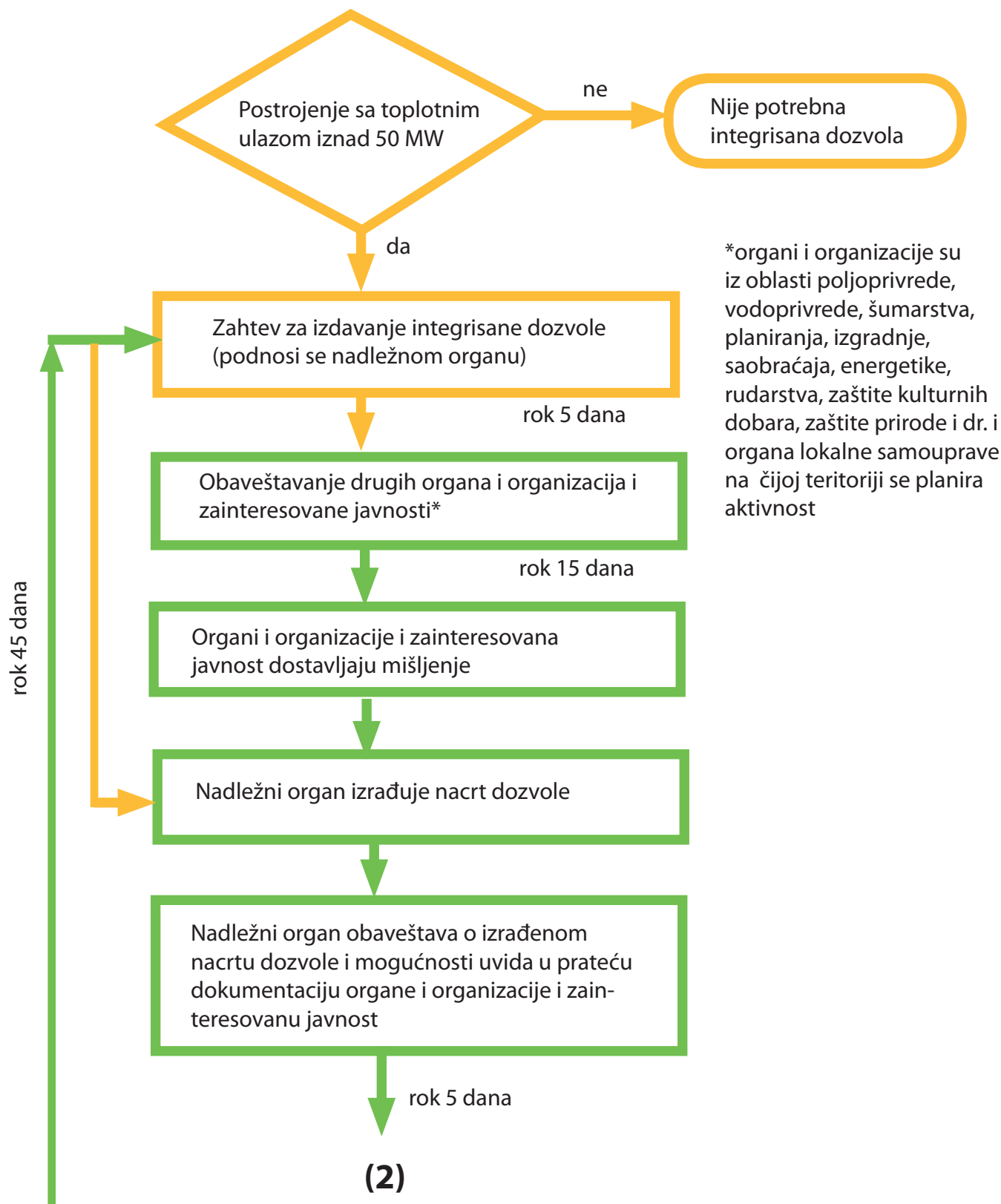
Sadržaj zahteva*:

- I. Opšti podaci o: 1) zahtevu, 2) operateru (fizičkom ili pravnom licu koje upravlja postrojenjem – na čije ime se izdaje ova dozvola), 3) postrojenju i njegovoj okolini, 4) vrsti industrijske aktivnosti, 5) osoblju i investicionim troškovima; II. Rezime podataka o aktivnosti i izdatim dozvolama: 1) kratak opis aktivnosti za koju se integrisana dozvola zahteva, 2) podaci o planskoj i projektnoj dokumentaciji za postrojenje (dozvole, odobrenja, saglasnosti), 3) kratak izveštaj o značajnim uticajima na životnu sredinu; III. Detaljni podaci o postrojenju, procesima i procedurama: 1) lokacija, 2) upravljanje zaštitom životne sredine, 3) korišćenje najbolje dostupnih tehnika, 4) korišćenje resursa, 5) emisije u vazduh, 6) emisije štetnih i opasnih materija u vode, 7) zaštita zemljišta i podzemnih voda, 8) upravljanje otpadom, 9) buka i vibracije, 10) procena rizika od značajnih udesa, 11) mere za nestabilne (prelazne) načine rada postrojenja, 12) definitivni prestanak rada postrojenja ili njegovih delova, 13) netehnički prikaz podataka na kojima se zahtev zasniva.
- uz zahtev se podnosi: 1) projekat za planirano, odnosno izgrađeno postrojenje; 2) izveštaj o poslednjem tehničkom pregledu; 3) plan vršenja monitoringa; 4) rezultati merenja zagađivanja činilaca životne sredine ili drugih parametara u toku trajanja probnog rada; 5) plan upravljanja otpadom; 6) plan mera za efikasno korišćenje energije; 7) plan mera za sprečavanje udesa i ograničavanje njihovih posledica; 8) plan mera za zaštitu životne sredine posle prestanka rada i zatvaranja postrojenja; 9) akt o pravu korišćenja prirodnih resursa; 10) izjava kojom potvrđuje da su informacije sadržane u zahtevu istinite, tačne, potpune i dostupne javnosti; 11) dokaz o uplaćenju administrativnoj taksi; kao i 12) saglasnost na studiju o proceni uticaja na životnu sredinu i saglasnost na procenu opasnosti od udesa; 2) tabelarni pregledi (dijagrami); 3) mape i skice; 4) kopije izdatih dozvola, odobrenja i saglasnosti i drugih dokumenata; 5) akcioni planovi III.4 - III.10.

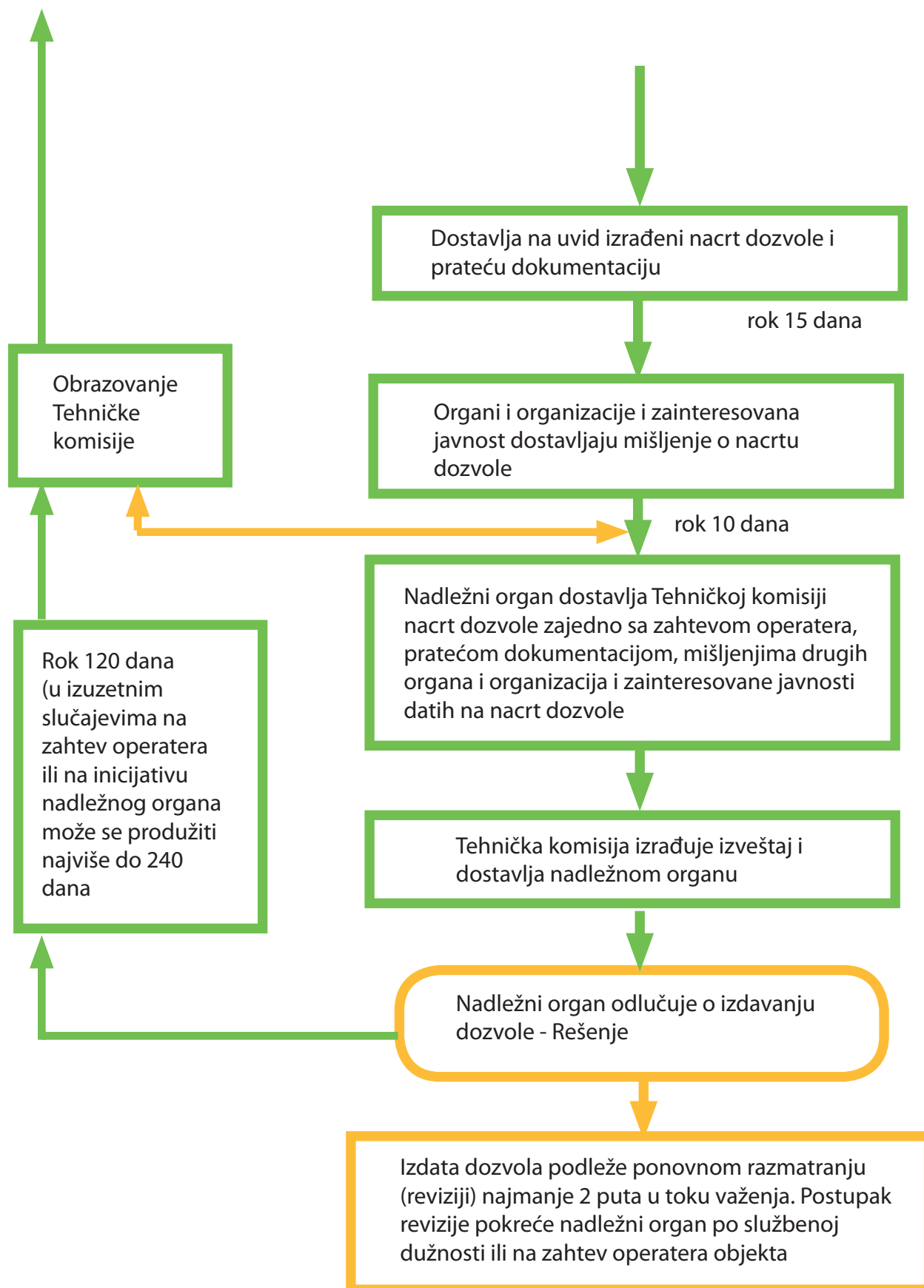
Napomena: Zahtev za izdavanje integrisane dozvole u okviru Obrasca 1 je sastavni deo Pravilnika o sadržini, izgledu i načinu popunjavanja zahteva za izdavanje integrisane dozvole („Sl. glasnik RS“ br. 30/2006)

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II-4 Pribavljanje integrisane dozvole (1)



II-4 Pribavljanje integrisane dozvole (2)



II-4 Tehnička dokumentacija, tehnička kontrola i revizija tehničke dokumentacije

- Građenje objekata se vrši na osnovu **tehničke dokumentacije**. Tehnička dokumentacija je skup projekata koji se izrađuju radi: utvrđivanja koncepcije objekta, razrade uslova, načina izgradnje objekta i za potrebe održavanja objekta, a na osnovu lokacijskih uslova.
- Tehničku dokumentaciju za izgradnju objekta, po Zakonu o planiranju i izgradnji čine: 1) generalni projekat; 2) idejno rešenje; 3) idejni projekat; 4) projekat za građevinsku dozvolu; 5) projekat za izvođenje i 6) projekat izvedenog objekta.
- Projekat za građevinsku dozvolu podleže tehničkoj kontroli projekta. Ukoliko je za projekat vršena revizija projekta u skladu sa Zakonom o planiranju i izgradnji, ova kontrola obuhvata i proveru usklađenosti projekta sa merama sadržanim u izveštaju revizione komisije. Tehnička kontrola potvrđuje usklađenost projekta sa vodnim uslovima (ukoliko je bilo potrebno njihovo izdavanje). Na taj način supstituiše vodnu saglasnost.
- Generalni projekat i idejni projekat, prethodna studija opravdanosti i studija opravdanosti za postrojenja na biomasu/biogas iz člana 133. Zakona o planiranju i izgradnji, podležu reviziji koju sprovodi revizionna komisija, koja donosi izveštaj revizione komisije

*više na: www.mgsi.gov.rs

II-4 Generalni projekat i idejno rešenje

- **Generalni projekat** sadrži naročito podatke o: 1) makrolokaciji objekta; 2) opštoj dispoziciji objekta; 3) tehničko-tehnološkoj koncepciji objekta; 4) načinu obezbeđenja infrastrukture; 5) mogućim varijantama prostornih i tehničkih rešenja sa stanovišta uklapanja u prostor, prirodnim uslovima; 6) proceni uticaja na životnu sredinu; 7) inženjerskogeološkim-geotehničkim karakteristikama terena sa aspekta utvrđivanja generalne koncepcije i opravdanosti izgradnje objekta; 8) istražnim radovima za izradu idejnog projekta; 9) zaštiti prirodnih i nepokretnih kulturnih dobara; 10) funkcionalnosti i racionalnosti rešenja. Generalni projekat je sastavni deo **Prethodne studije opravdanosti**.
- **Idejno rešenje** se izrađuje za potrebe pribavljanja lokacijskih uslova, a može biti deo urbanističkog projekta za potrebe urbanističko-arhitektonske razrade lokacije. Sadržaj *: Podaci: 1) naziv, vrsta i namena objekta; 2) da li se objekat priključuje na javni vodovod i javnu kanalizaciju; 3) opis načina zahvata vode sa planiranim količinama vode, ukoliko se voda zahvata iz površinskih ili podzemnih voda; 4) opis planiranog načina ispuštanja otpadnih voda, ukoliko industrijski ili drugi objekat otpadne vode ispušta u površinske vode ili podzemne vode; 5) opis tehnološkog procesa sa procenom kvaliteta i kvantiteta efluenta; 6) opis planiranih radova koji se odnose na uređenje vodotoka i zaštitu od štetnog dejstva voda, uređenje i korišćenje voda i zaštitu voda od zagađivanja; 7) o kvalitetu zahvaćene vode (rezultati ispitivanja vode), u slučaju kada se voda zahvata iz površinskih ili podzemnih voda kao i podatak o načinu vodosnabdevanja (vodotok, kanal, bunar ili javna vodovodna mreža) i lokaciji vodozahvata. Ukoliko nema tehničkih mogućnosti za snabdevanje vodom iz javne vodovodne mreže ili je za potrebe eksploatacije objekta neophodno izgraditi bunar, navesti njegovu namenu (npr. za protivpožarne potrebe, za navodnjavanje, za ribnjake i dr.), potrebnu količinu vode iz bunara i sl; 8) podaci o načinu prikupljanja odvođenja, prečišćavanja (primarno, sekundarno) i ispuštanja svih otpadnih voda sa lokacije predmetnog objekta (tehnoloških sanitarno-fekalnih, atmosferskih) i o recipijentu istih (vodotok, laguna, septička jama, javna kanalizaciona mreža i sl.), vrsti i načinu odlaganja otpada koji može uticati na vodni režim (kvantitet i kvalitet). Idejno rešenje sadrži i podatke o: 1) kapacitetu objekta; 2) opisu proizvodnog procesa; 3) vrsti i količini sirovine koja se koristi; 4) vrsti tehnološkog postupka i finalni proizvod; 5) o drugim objektima (radovima) koji mogu uticati na vodne objekte i vodni režim (kvantitet i kvalitet podzemnih i površinskih voda). Takođe je potrebno dostaviti sledeće podatke grafičke priloge: 1) preglednu kartu; 2) situacioni prikaz svih postojećih i planiranih objekata (sa legendom), sa pratećom infrastrukturom (naročito vodovoda i kanalizacije) ili objekata i infrastrukture koja je predmet zahteva, a nalazi se u zoni vodnih objekata i vodotoka (vodozahvati, ulivne i izlivne građevine, produktovodi, TT i optički kablovi, elektrovodovi i sl.) u odgovarajućoj razmeri na katastarskoj podlozi i dr.

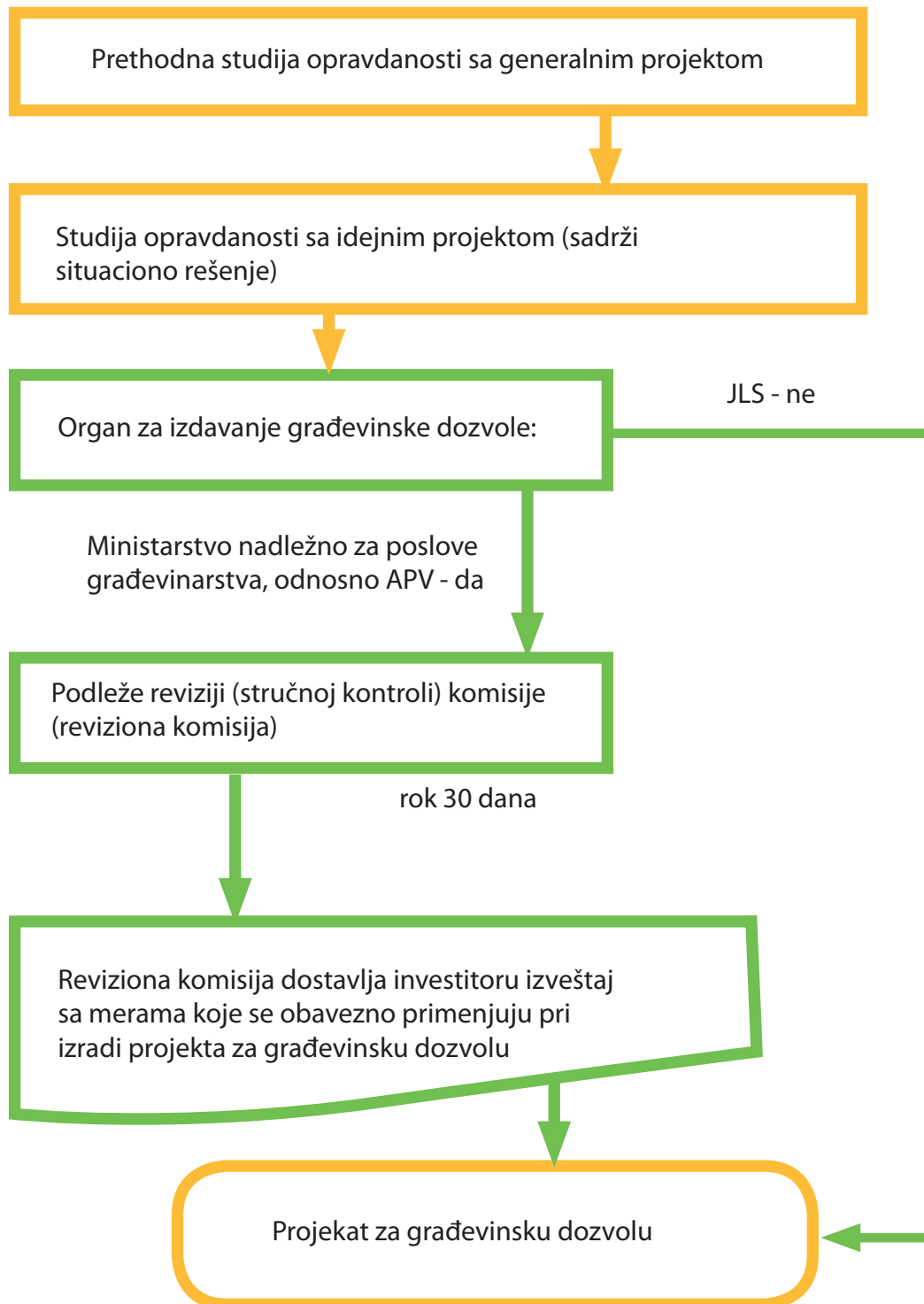
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II-4 Idejni projekat, projekat za građevinsku dozvolu, projekat za izvođenje, projekat izvedenog objekta

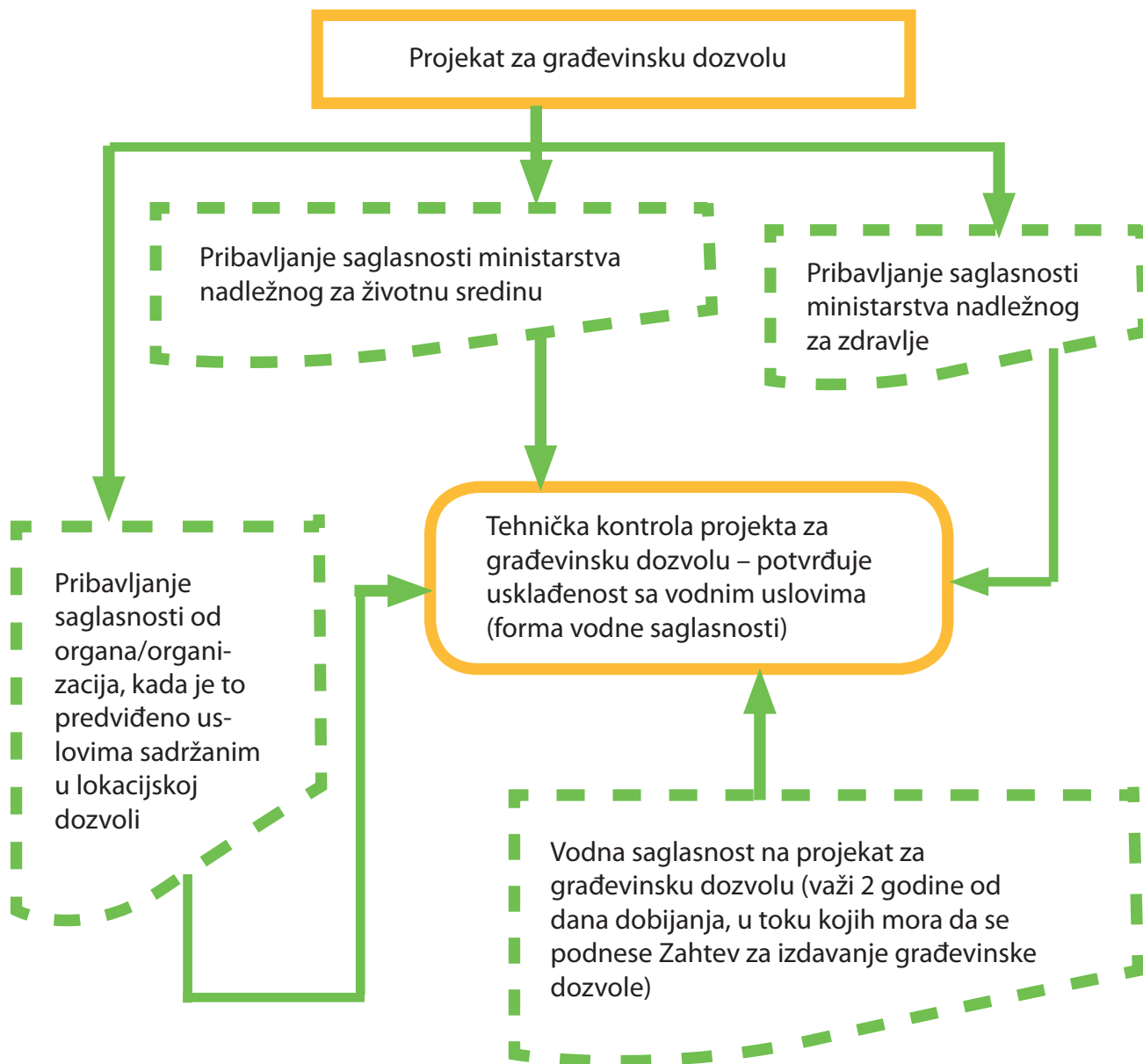
- **Idejni projekat** se izrađuje za potrebe izgradnje postrojenja na biomasu/biogas, ukoliko za njega građevinsku dozvolu izdaje ministarstvo nadležno za poslove građevinarstva, odnosno nadležni organ autonomne pokrajine, podleže stručnoj kontroli od strane revizione komisije. Idejnim projektom se određuju: namena, položaj, oblik, kapacitet, tehničko-tehnološke i funkcionalne karakteristike objekta, organizacioni elementi objekta i izgled objekta. Idejni projekat je sastavni deo **Studije opravdanosti**.
- **Projekat za građevinsku dozvolu** se izrađuje za potrebe pribavljanja građevinske dozvole. Projekat za građevinsku dozvolu obavezno sadrži i izjavu glavnog projektanta, odgovornog projektanta i vršioca tehničke kontrole kojom se potvrđuje da je projekat izrađen u skladu sa lokacijskim uslovima, propisima i pravilima struke. Pored ovih elemenata, sastavni deo projekta za građevinsku dozvolu jeste i elaborat o zaštiti od požara. Ovaj elaborat izrađuje lice sa odgovarajućom licencom izdatom u skladu sa propisima kojima se uređuje zaštita od požara.
- **Projekat za izvođenje** se izrađuje za potrebe izvođenja radova na građenju. Projekat za izvođenje je skup međusobno usaglašenih projekata kojim se utvrđuju građevinsko-tehničke, tehnološke i eksploatacione karakteristike objekta sa opremom i instalacijama, tehničko-tehnološka i organizaciona rešenja za gradnju objekta, investiciona vrednost objekta i uslovi održavanja objekta. Projekat za izvođenje sadrži izjavu glavnog projektanta i izjave odgovornih projektanata kojima se potvrđuje da je projekat izrađen u skladu sa lokacijskim uslovima, građevinskom dozvolom, projektom za građevinsku dozvolu, propisima i pravilima struke. Za objekte za koje se u skladu sa zakonom kojim se uređuje zaštita od požara pribavlja saglasnost na tehnički dokument, pre izdavanja upotrebne dozvole pribavlja se saglasnost na projekat za izvođenje u postupku objedinjene procedure.
- **Projekat izvedenog objekta** se izrađuje za potrebe pribavljanja upotrebne dozvole, korišćenja i održavanja postrojenja na biomasu/biogas. Projekat izvedenog objekta je projekat za izvođenje sa izmenama nastalim u toku građenja objekta. Ukoliko u toku građenja objekta nije odstupljeno od projekta za izvođenje, investitor, lice koje je vršilo stručni nadzor i izvođač radova potvrđuju i overavaju na projektu za izvođenje da je izvedeno stanje jednako projektovanom stanju. Projekat izvedenog objekta ne podleže tehničkoj kontroli, osim kada se izrađuje za potrebe legalizacije objekata.

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II-4 Tehnička dokumentacija za građevinsku dozvolu



II-4 Tehnička kontrola projekta i vodna saglasnost*



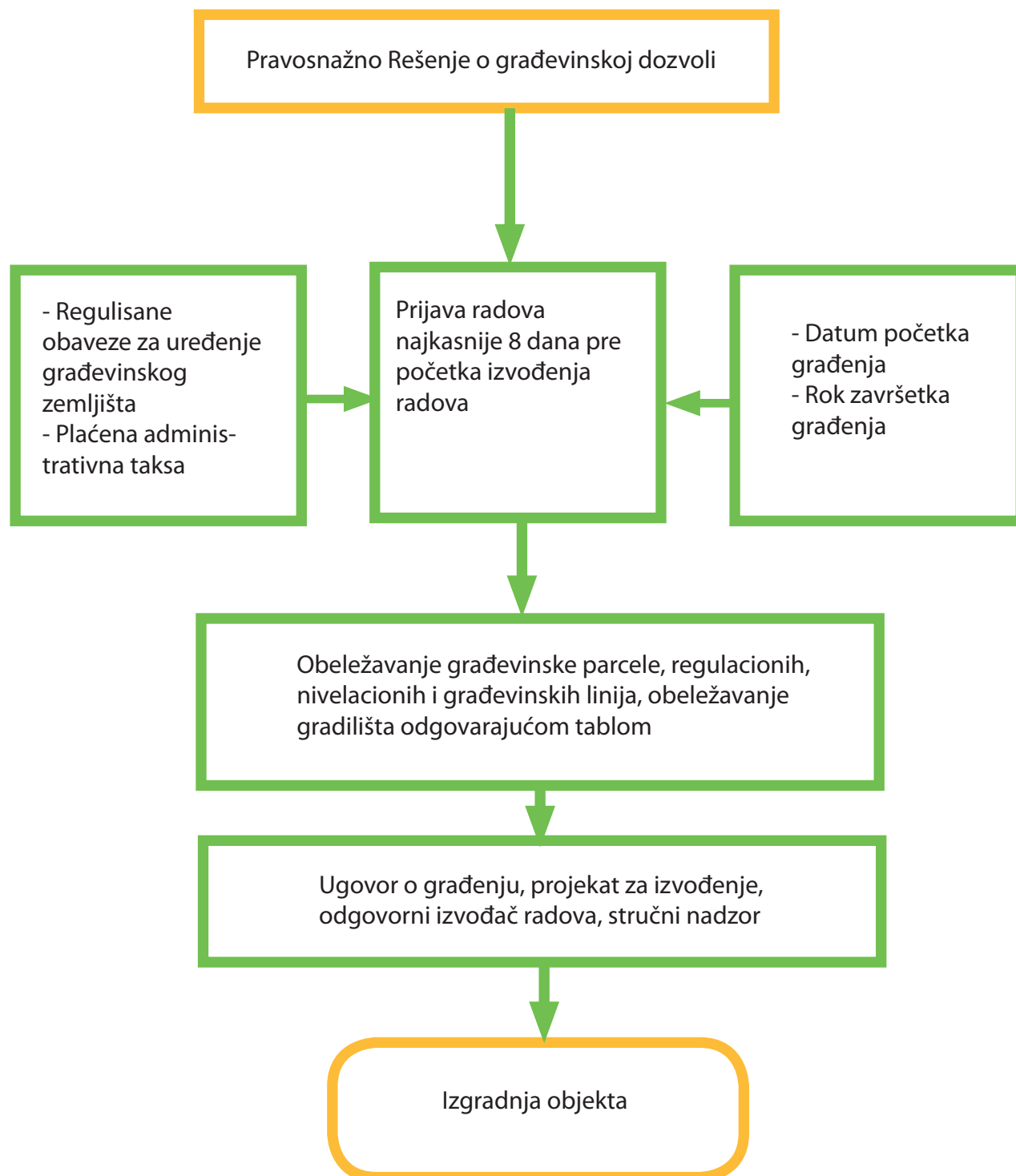
*NAPOMENA: Vodna saglasnost je potrebna ukoliko objekat utiče na vodni režim, a investitor je može pribaviti i u proceduri iz Zakona o vodama, kako bi imao potvrdu izdatu od strane organa nadležnog za vodni režim

II-5 Građenje objekta i upotrebna dozvola

- **Po pribavljanju građevinske dozvole, mogu se izvršiti potrebne radnje za građenje postrojenja na biomasu/biogas. Građenje objekata, odnosno izvođenje radova, vrši izvođač radova - privredni subjekt upisan u odgovarajući registar za građenje objekata, odnosno za izvođenje radova**
- **Pre početka radova investitor podnosi prijavu radova:**
 - Nadležnost: organ koji je izdao građevinsku dozvolu
 - Prijava radova sadrži: 1) podnesak prijave, 2) dokaz o regulisanju obaveza u pogledu doprinosa za uređivanje građevinskog zemljišta, 3) dokaz o plaćenju administrativnoj taksi
 - Značaj: od prijave počinje da teče rok za završetak radova. Radovi ne mogu početi u kraćem roku od 8 dana od dana podnošenja prijave
- **Obaveze izvođača radova su da:** 1) pre početka radova potpiše Projekat za izvođenje, 2) rešenjem odredi odgovornog izvođača radova, 3) odgovornom izvođaču radova obezbedi ugovor o građenju i dokumentaciju na osnovu koje se gradi objekat, 4) obezbedi preventivne mere za bezbedan i zdrav rad u skladu sa zakonom, 5) da izvodi radove prema dokumentaciji na osnovu koje je izdata građevinska dozvola, 6) organizuje gradilište na način kojim će obezbediti pristup lokaciji, obezbeđuje sigurnost objekta i lica na gradilištu i okoline, 7) obezbeđuje dokaz o kvalitetu izvršenih radova, 8) vodi građevinski dnevnik, građevinsku knjigu i obezbeđuje knjigu inspekcije, 9) obezbeđuje objekte i okolinu u slučaju prekida radova
- **Na gradilištu je potrebno da se stalno nalazi:** 1) ugovor o građenju, 2) rešenje o određivanju odgovornog izvođača radova na gradilištu i 3) Projekat za građevinsku dozvolu/projekat za izvođenje
- **Investitor obezbeđuje stručni nadzor** u toku građenja objekta, odnosno izvođenja radova za koje je izdata građevinska dozvola
- **Tehničkim pregledom** se utvrđuje podobnost postrojenja na biomasu/biogas za upotrebu. Izgrađeni objekat se može koristiti nakon pribavljene upotrebne dozvole.

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II-5 Građenje objekta



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II-5 Upotrebna dozvola i tehnički pregled objekta

- Upotrebna dozvola je upravni akt, koji je uslov za korišćenje postrojenja na biomasu/biogas. Ona je uslov za sticanje statusa (povlašćenog) proizvođača električne energije.

Upotrebna dozvola se izdaje nakon izvršenog tehničkog pregleda koji vrši Komisija za tehnički pregled i izdaje izveštaj/nalaz komisije za tehnički pregled. O tehničkom pregledu se vodi zapisnik. Ukoliko se utvrdi da je za davanje pozitivnog izveštaja potrebno vršiti ispitivanja uređaja i instalacija objekta, komisija izdaje akt o puštanju u **probni rad** u kome utvrđuje period probnog rada (najduže godinu dana)

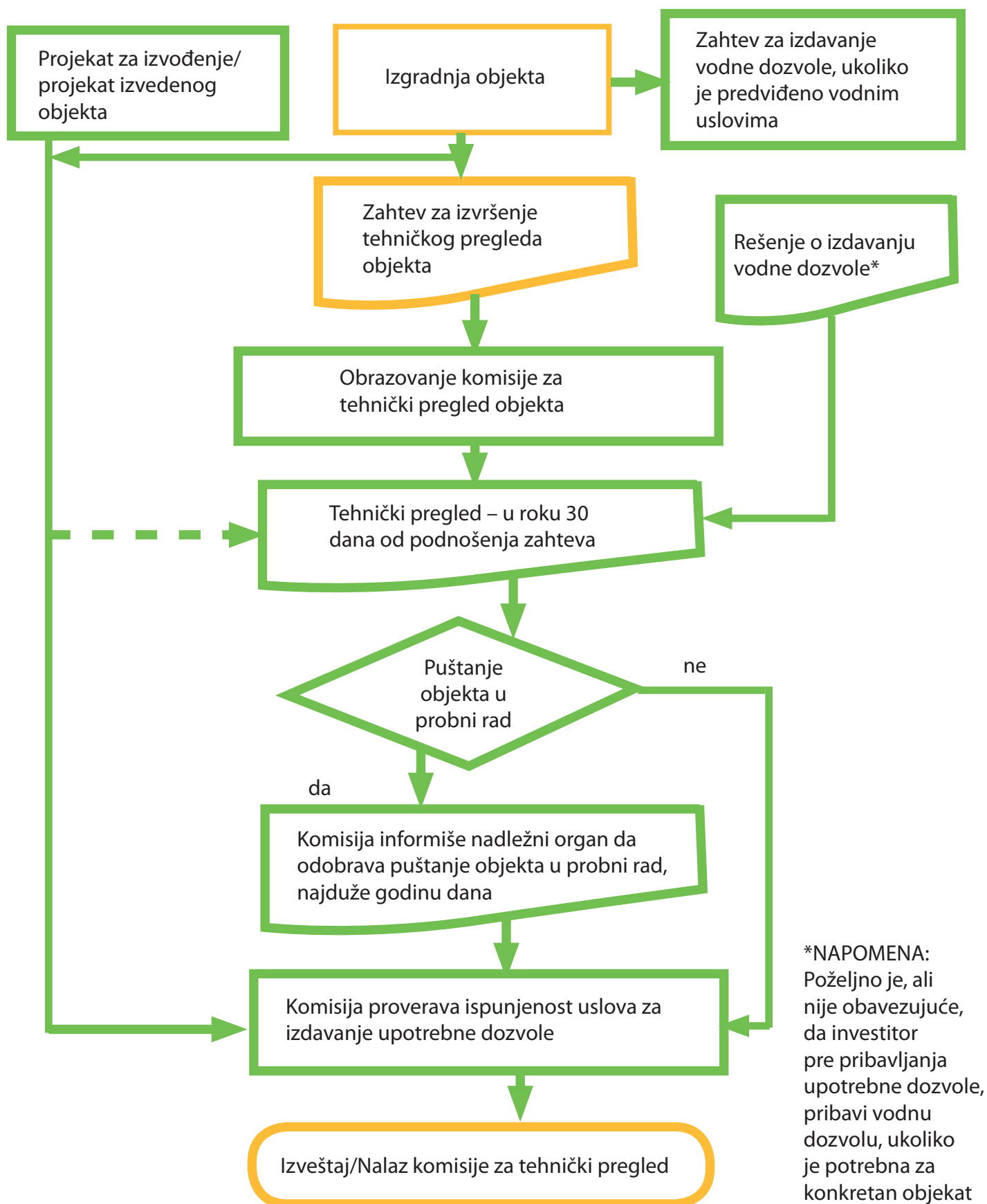
- **Zahtev za izdavanje upotrebne dozvole*:**
 - *Podnosi se nadležnom organu u objedinjenoj proceduri:*
 - 1) ministarstvu nadležnom za poslove građevinarstva, odnosno nadležnom organu AP ukoliko se postrojenje na biomasu/biogas nalazi na teritoriji autonomne pokrajine za objekte koji su snage 10 MW i više i ukoliko objekti bez obzira na njihovu snagu ispunjavaju druge uslove iz člana 133. Zakona o planiranju i izgradnji.
 - 2) Organu JLS na čijoj teritoriji se nalazi željena lokacija za izgradnju postrojenja, ukoliko se ne radi o objektima navedenim u članu 133. Zakona o planiranju i izgradnji
 - Sadržaj zahteva: popunjen obrazac sa priložima
 - Rok za rešavanje po zahtevu: 5 radnih dana
 - Rok za žalbu: 1) ne može na rešenje ministarstvu nadležnom za poslove građevinarstva /nadležnog organa AP - može se voditi upravni spor (rok 30 dana), 2) drugi slučajevi: 8 dana – podnosi se ministarstvu nadležnom za poslove građevinarstva, nadležnom organu AP

Napomena:

- 1) Poželjno je, ali nije obavezujuće, da investitor pre pribavljanja upotrebne dozvole, pribavi vodnu dozvolu, ukoliko je potrebna za konkretan objekat, u svakom slučaju treba da pribavi vodnu dozvolu pre početka korišćenja objekta
- 2) Upotrebna dozvola sadrži garantni rok za objekat i pojedine vrste radova

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II-5 Tehnički pregled



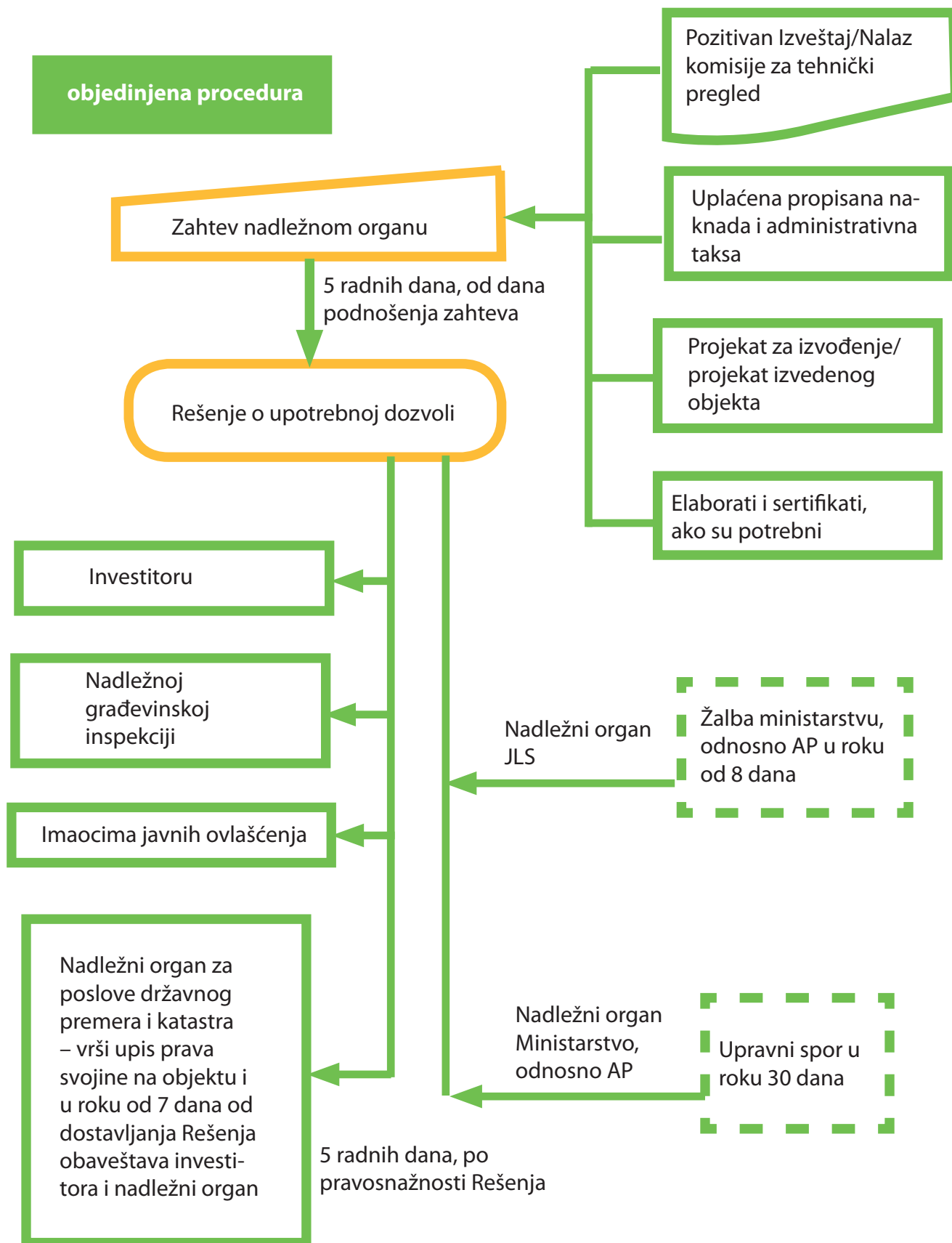
II-5 Upotrebna dozvola

- **Sadržaj zahteva*:**

- 1) podaci o lokaciji; 2) podaci o objektu za koji se traži upotrebna dozvola; 3) podaci o uklonjenim objektima na parceli; 4) podaci o investitoru; 5) izjava u vezi sa izdavanjem upotrebne dozvole i upisom u javne knjige; 6) podaci o podnosiocu zahteva ako podnosilac zahteva nije investitor; 7) spisak priloga.
- uz zahtev se podnosi: 1) projekat za izvođenje sa potvrdom i overom investitora, lica koje vrši stručni nadzor i izvođača radova da je izvedeno stanje jednako projektovanom u slučaju da u toku građenja nije odstupljeno od projekta za izvođenje, odnosno projekat izvedenog objekta izrađen u skladu sa pravilnikom kojim se uređuje sadržina tehničke dokumentacije, kao i izvod iz projekta za građevinsku dozvolu; 2) izveštaj komisije za tehnički pregled, kojim se utvrđuje da je objekat podoban za upotrebu, sa predlogom za izdavanje upotrebne dozvole; 3) dokaz o plaćanju propisanih taksi, odnosno naknada; 4) sertifikat o energetskeim svojstvima objekta, ako je za objekat propisana obaveza pribavljanja sertifikata o energetskeim svojstvima; 5) dokaz o uplati administrativne takse za izdavanje upotrebne dozvole; 6) elaborat geodetskih radova za izvedeni objekat i posebne delove objekta; 7) elaborat geodetskih radova za podzemne instalacije.

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II -5 Pribavljanje upotrebne dozvole



II-5 Vodna dozvola

- Vodnom dozvolom se utvrđuju način, uslovi i obim korišćenja voda, način, uslovi i obim ispuštanja otpadnih voda, skladištenja i ispuštanja hazardnih i drugih supstanci koje mogu zagaditi vodu, kao i uslovi za druge radove kojima se utiče na vodni režim. Vodna dozvola se ne može izdati bez pribavljenih vodnih uslova i izdate vodne saglasnosti.

Pribavlja se ukoliko je to propisano vodnim uslovima

Nije uslov za izdavanje upotrebne dozvole

Zahtev za izdavanje vodne dozvole*:

- Podnosi se nadležnom organu: ministarstvu nadležnom za poslove zaštite životne sredine, odnosno nadležnom organu AP ili grada - Beograda ukoliko se postrojenje na biomasu/biogasu nalazi na teritoriji AP ili grada Beograda
- Sadržaj zahteva: popunjen obrazac sa priložima
- Rok za rešavanje po zahtevu: dva meseca od dana podnošenja zahteva
- Rok važenja: najduže 15 godina, najkasnije dva meseca pre isteka treba produžiti važnost. Vodna dozvola prestaje : istekom roka, odricanjem prava i ne konzumiranjem prava bez opravdanih razloga duže od 2 godine
- Rok za žalbu: 1) ne može na rešenje ministarstva nadležnom za poslove zaštite životne sredine - može se voditi upravni spor (rok 30 dana), 2) drugi slučajevi: 15 dana – podnosi se ministarstvu nadležnom za poslove zaštite životne sredine

Napomena: Poželjno je, ali nije obavezujuće, da investitor pre pribavljanja upotrebne dozvole, pribavi vodnu dozvolu, ukoliko je potrebna za konkretan objekat, u svakom slučaju treba da pribavi vodnu dozvolu pre početka korišćenja objekta

*više na: www.mgsi.gov.rs i www.mpzss.gov.rs

Sadržaj zahteva - Obrazac O6 *:

- 1) podaci o lokaciji; 2) 1) opšti podaci o podnosiocu zahteva; 2) osnovni podaci (administrativni, hidrografski i geodetski podaci) o objektu, odnosno radovima, kao i mesto, datum, potpis i pečat podnosioca zahteva 3) mesto, datum i pečat podnosioca zahteva. Pored navedenih elemenata, ovaj zahtev za postrojenje za koje je izdata vodna saglasnost ili vodna dozvola, sadrži: 1) rešenje o izdavanju vodne saglasnosti ili vodne dozvole; 2) izveštaj javnog vodoprivrednog preduzeća o ispunjenosti uslova iz vodnih uslova i vodne saglasnosti za izdavanje vodne dozvole; 3) izveštaj komisije o izvršenom tehničkom pregledu objekta; 4) projekat za građevinsku dozvolu ili projekat izvedenog objekta; 5) izvod iz projekta za građevinsku dozvolu ili projekta izvedenog objekta. Ukoliko je za postrojenje izdata upotrebna dozvola, a nije izdata vodna saglasnost, zahtev za izdavanje vodne dozvole sadrži i: 1) upotrebnu dozvolu; 2) izveštaj javnog vodoprivrednog preduzeća o spremnosti objekta za izdavanje vodne dozvole; 3) projekat za građevinsku dozvolu ili projekat izvedenog objekta; 4) izvod iz projekta za građevinsku dozvolu ili projekta izvedenog objekta.
- Za postrojenja i radove za koje je izdata vodna saglasnost ili vodna dozvola i objekta za koje je izdata upotrebna dozvola, a nije izdata vodna saglasnost, pored već navedenih elemenata, zahtev za izdavanje vodne dozvole sadrži: 1) rešenje ministarstva nadležnog za poslove zdravlja o određivanju zona sanitarne zaštite izvorišta; 2) rešenje ministarstva nadležnog za poslove geoloških istraživanja o utvrđenim i razvrstanim rezervama podzemnih voda; 3) saglasnost ministarstva nadležnog za poslove turizma za korišćenje voda sa prirodnim lekovitim svojstvom na teritoriji banjskog mesta; 4) ugovor ili drugi dokument da javno komunalno preduzeće vrši uslugu čišćenja objekta za ispuštanje otpadnih voda i uslugu čišćenja čvrstog otpada; 5) izveštaj ovlašćenog pravnog lica o ispitivanju kvaliteta voda (zahvaćenih i ispuštenih) iz prethodnog perioda; 6) potvrda ovlašćenog pravnog lica o ispravnosti objekata za sakupljanje, odvođenje i prečišćavanje otpadnih voda, uključujući i septičke jame; 7) izveštaj ovlašćenog pravnog lica o ispitivanju nivoa i kvaliteta voda u piezometrima, u zoni skladišnih objekata, kao i 8) baždarne tablice izdate od strane ovlašćenog pravnog lica samo za objekte za skladištenje.

Napomena: Uz navedene priloge, uz zahtev za izdavanje vodne dozvole, dostavlja se i zapisnik vodnog inspektora.

*više na: www.mgsi.gov.rs i www.mpzss.gov.rs

II-5 Pribavljanje vodne dozvole- ukoliko je predviđeno vodnim uslovima -

Vodna dozvola nije uslov za izdavanje upotrebne dozvole*
Pribavljanje vodne dozvole obavlja se po izvršenom tehničkom
pregledu objekta, van objedinjene procedure

Zahtev za dobijanje vodne dozvole podnosi investitor

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

Podnosi se ministarstvu nadležnom za vodoprivredu

Rešenje o izdavanju vodne dozvole

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

*NAPOMENA: U cilju pravne sigurnosti korišćenja objekta, preporuka je da se vodna dozvola pribavi pre početka korišćenja objekta

III Odobrenje za priključenje postrojenja na energetska mrežu

III-1 Zahtev za priključenje postrojenja na energetska mrežu

- Nakon dobijanja upotrebne dozvole neophodno je izvršiti priključenje postrojenja na prenosnu/distributivnu elektroenergetsku mrežu, odnosno mrežu za distribuciju toplotne energije.
U slučaju puštanja postrojenja u probni rad, priključenje na energetska mrežu će se izvršiti pre pribavljanja upotrebne dozvole.
Odobrenje za priključenje je uslov za sticanje statusa povlašćenog proizvođača električne energije.
- **Zahtev za izdavanje odobrenja za priključenje:**
 - Podnosi se:
 - 1) operatoru prenosnog elektroenergetskog sistema,
 - 2) operatoru distributivnog elektroenergetskog sistema,
 - 3) energetskom subjektu za distribuciju toplotne energije

Sadržaj zahteva:

- Rok za rešavanje po zahtevu: 1) 60 dana prenosni sistem, 2) 45 dana distributivni sistem, 3) 30 dana mreža za distribuciju toplotne energije
- Rok važenja: rok za izgradnju objekta/izvođenje radova na objektu
- Rok za žalbu: 15 dana - podnosi se AERS/nadležnom organu JLS
- **Priključenje objekta** – 15 dana (prenosni sistem)/8 dana (distributivni sistem) od ispunjenja: 1) uslova iz odobrenja za priključenje; 2) da je za objekat pribavljen akt kojim se odobrava puštanje u probni rad ili upotrebna dozvola za objekat i priključak; 3) da kupac, odnosno proizvođač dostavi operatoru sistema ugovor o snabdevanju električnom energijom, bez komercijalnih podataka; 4) da je za mesto primopredaje uređena balansna odgovornost (za elektroenergetski sistem) i pristup sistemu.

III-1 Odobrenje za priključenje postrojenja na energetska mrežu

- **Sadržaj zahteva za priključenje na prenosni sistem:**

- podaci: 1) o podnosiocu zahteva; 2) o objektu za koji se traži priključenje; 3) o vremenu kada se očekuje priključenje; 4) o ukupnoj instalisanoj snazi objekta, broju, snazi i vrsti generatorskih jedinica; 5) o očekivanoj godišnjoj i mesečnoj proizvodnji električne energije; 6) o sopstvenoj potrošnji; 7) o planiranom načinu rada (ostrvski rad, paralelni ili kombinovani rad); 8) druge podatke u skladu sa pravilima o radu.
- **uz zahtev se podnosi:** 1) građevinska dozvola za objekat koji se prvi put priključuje; 2) kopija plana katastarske parcele ne starija od 6 meseci, 3) dokaz o pravu svojine ili pravu korišćenja objekta; 4) dokaz o uplati administrativne takse; 5) i dr.

Napomena: Više na www.ems.rs

- **Sadržaj zahteva za priključenje na distributivni sistem:**

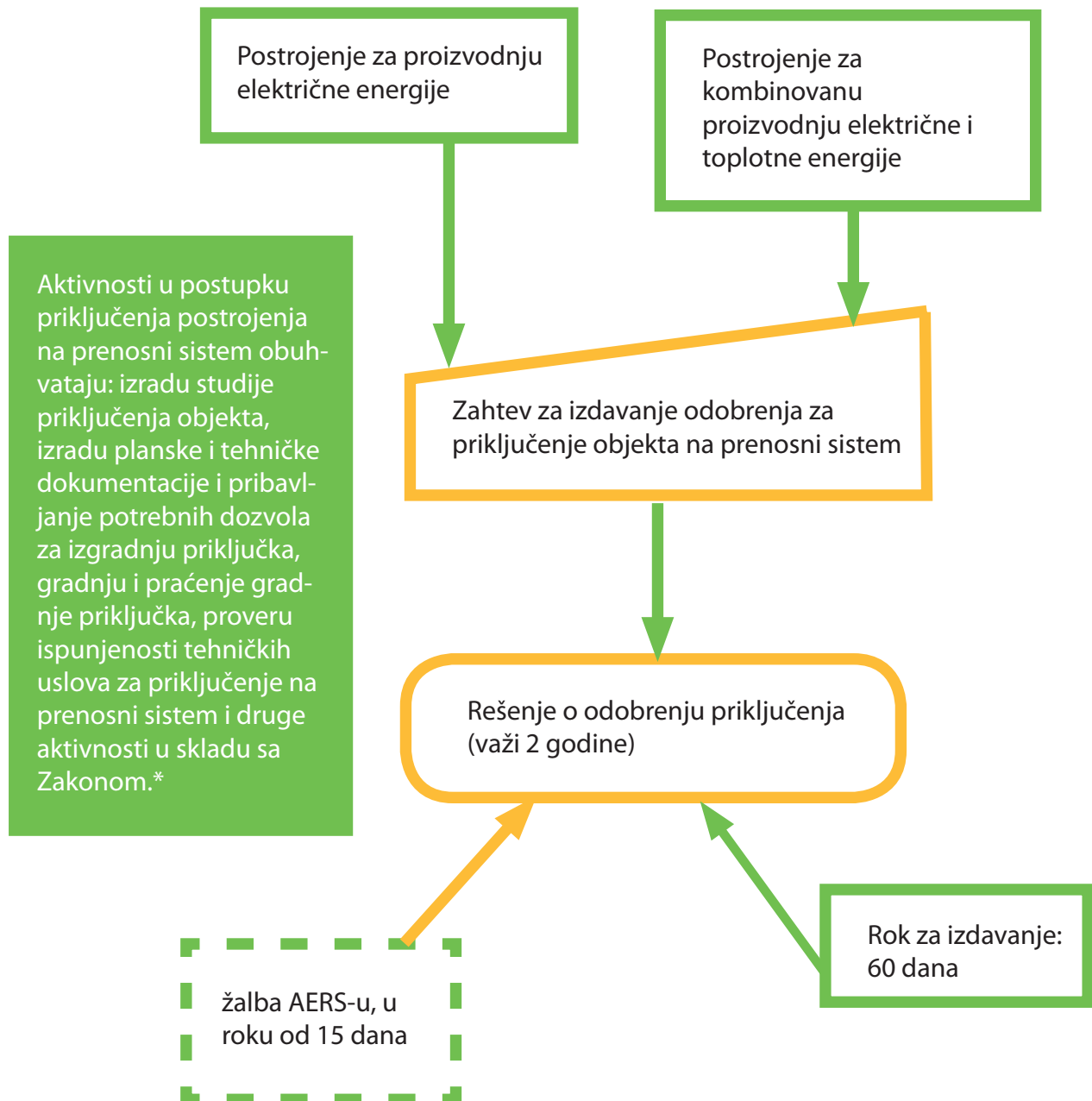
- podaci: 1) o podnosiocu zahteva; 2) o objektu za koji se traži priključenje; 3) o vremenu kada se očekuje priključenje; 4) o ukupnoj instalisanoj snazi objekta, broju, snazi i vrsti generatorskih jedinica; 5) o očekivanoj godišnjoj i mesečnoj proizvodnji električne energije; 6) o sopstvenoj potrošnji; 7) o planiranom načinu rada (ostrvski rad, paralelni ili kombinovani rad); 8) druge podatke u skladu sa pravilima o radu.
- uz zahtev se podnosi: 1) građevinska dozvola za objekat koji se prvi put priključuje; 2) kopija plana katastarske parcele ne starija od 6 meseci, 3) dokaz o pravu svojine ili pravu korišćenja objekta; 4) dokaz o uplati administrativne takse; 5) i dr.

Napomena: Više na <http://www.epsdistribucija.rs>

- **Sadržaj zahteva za priključenje na mrežu za distribuciju toplotne energije:**

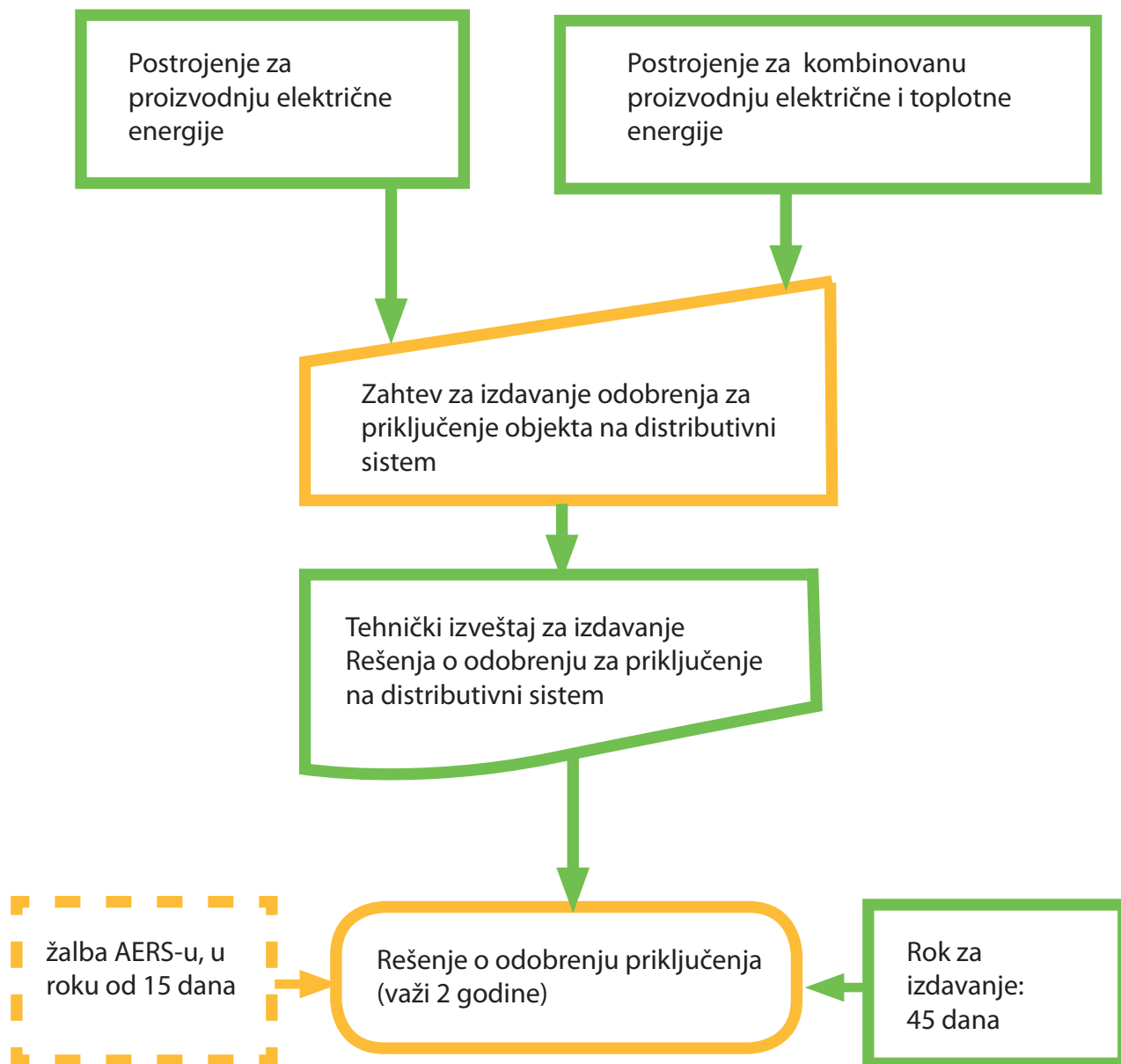
- podaci: 1) o podnosiocu zahteva; 2) o objektu za koji se traži priključenje; 3) o vremenu kada se očekuje priključenje
- uz zahtev se podnosi: 1) građevinska dozvola za objekat koji se prvi put priključuje; 2) kopija plana katastarske parcele ne starija od 6 meseci, 3) dokaz o pravu svojine ili pravu korišćenja objekta; 4) dokaz o uplati administrativne takse; 5) i dr.

III-1 Odobrenje za priključenje postrojenja na prenosni sistem

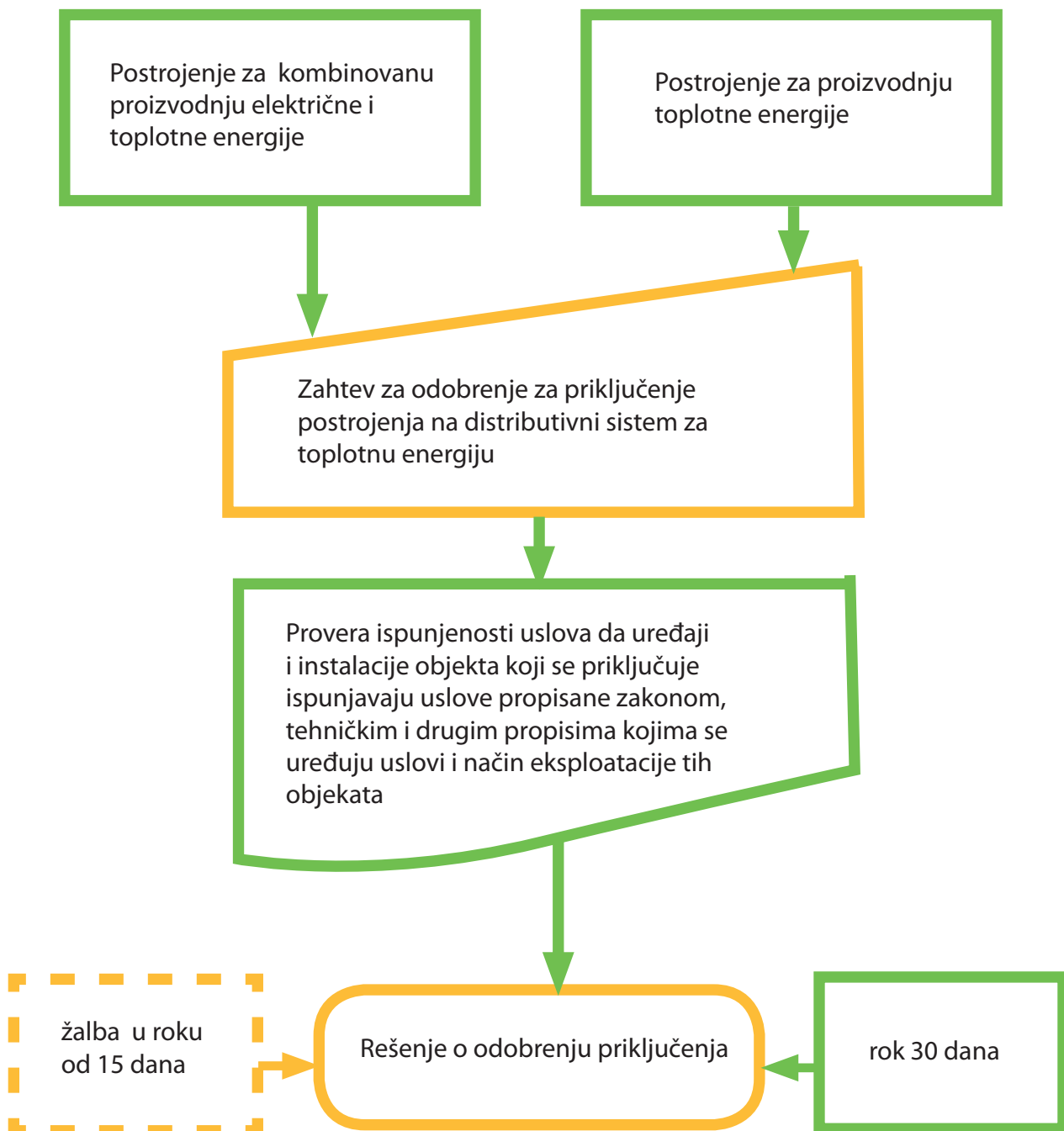


*Procedura za priključenje objekata na prenosni sistem, 23. decembar 2015. godine.

III-1 Odobrenje za priključenje postrojenjana distributivni sistem



III-2 Odobrenje za priključenje postrojenja na mrežu za distribuciju toplotne energije

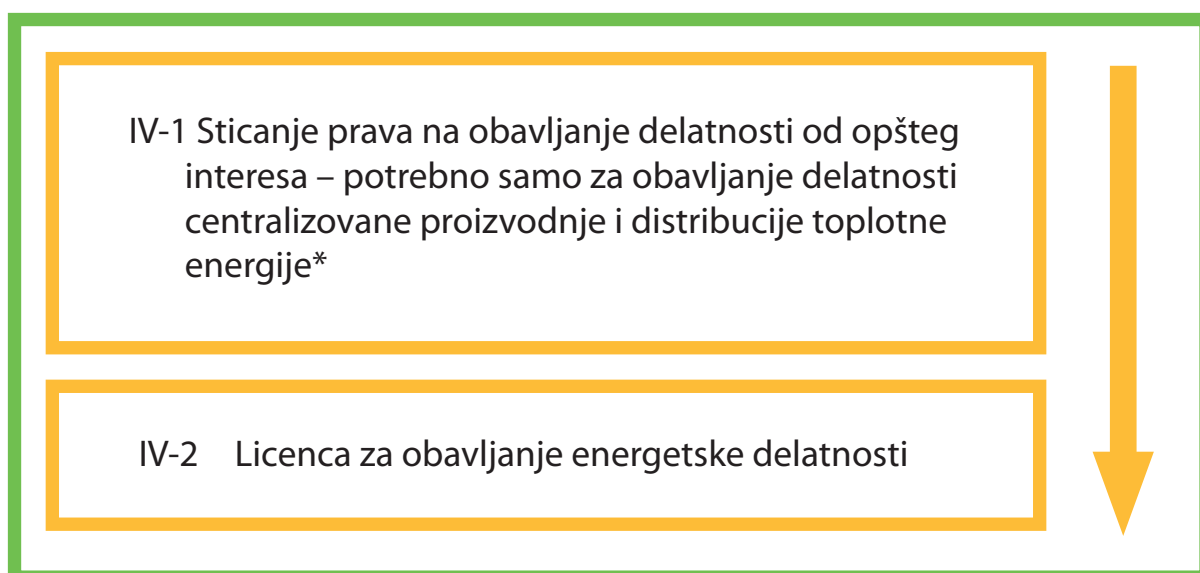


IV Sticanje prava na obavljanje delatnosti proizvodnje električne/ toplotne energije

IV Sticanje prava na obavljanje delatnosti proizvodnje električne/toplotne energije

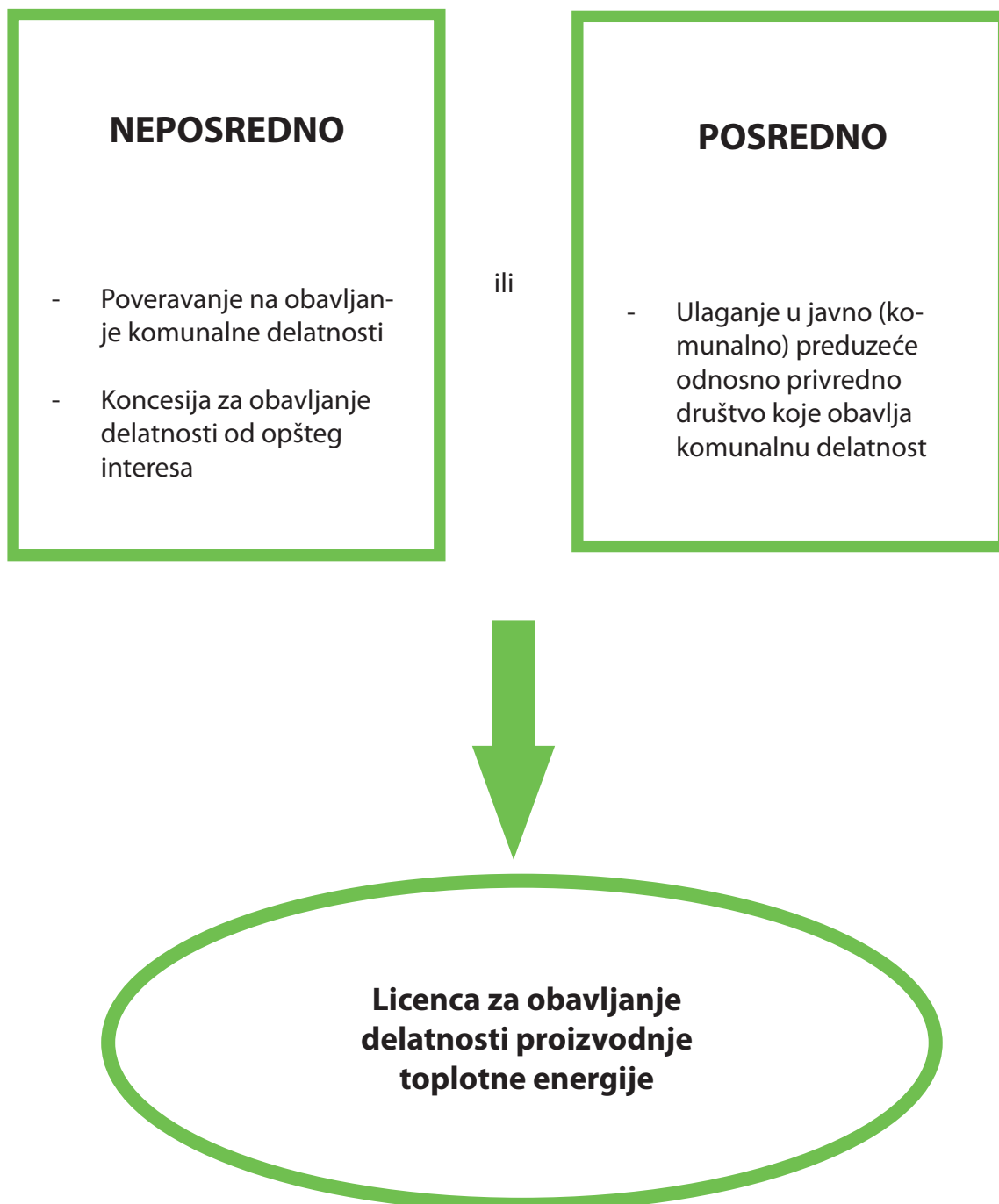
- **Tržišna delatnost**
 - Proizvodnja električne energije
 - Kombinovana proizvodnja električne i toplotne energije
- **Delatnost od opšteg interesa**
 - Proizvodnja i distribucija toplotne energije
 - centralizovana proizvodnja i distribucija u više objekata vodene pare, tople ili vrele vode za potrebe grejanja

IV Sticanje prava na obavljanje delatnosti proizvodnje energije i kombinovane proizvodnje električne/toplotne energije



***NAPOMENA:** Može se steći na osnovu Zakona o komunalnim delatnostima i na osnovu Zakona o javno-privatnom partnerstvu

IV-1 Pravo na obavljanje delatnosti proizvodnje toplotne energije - način sticanja -

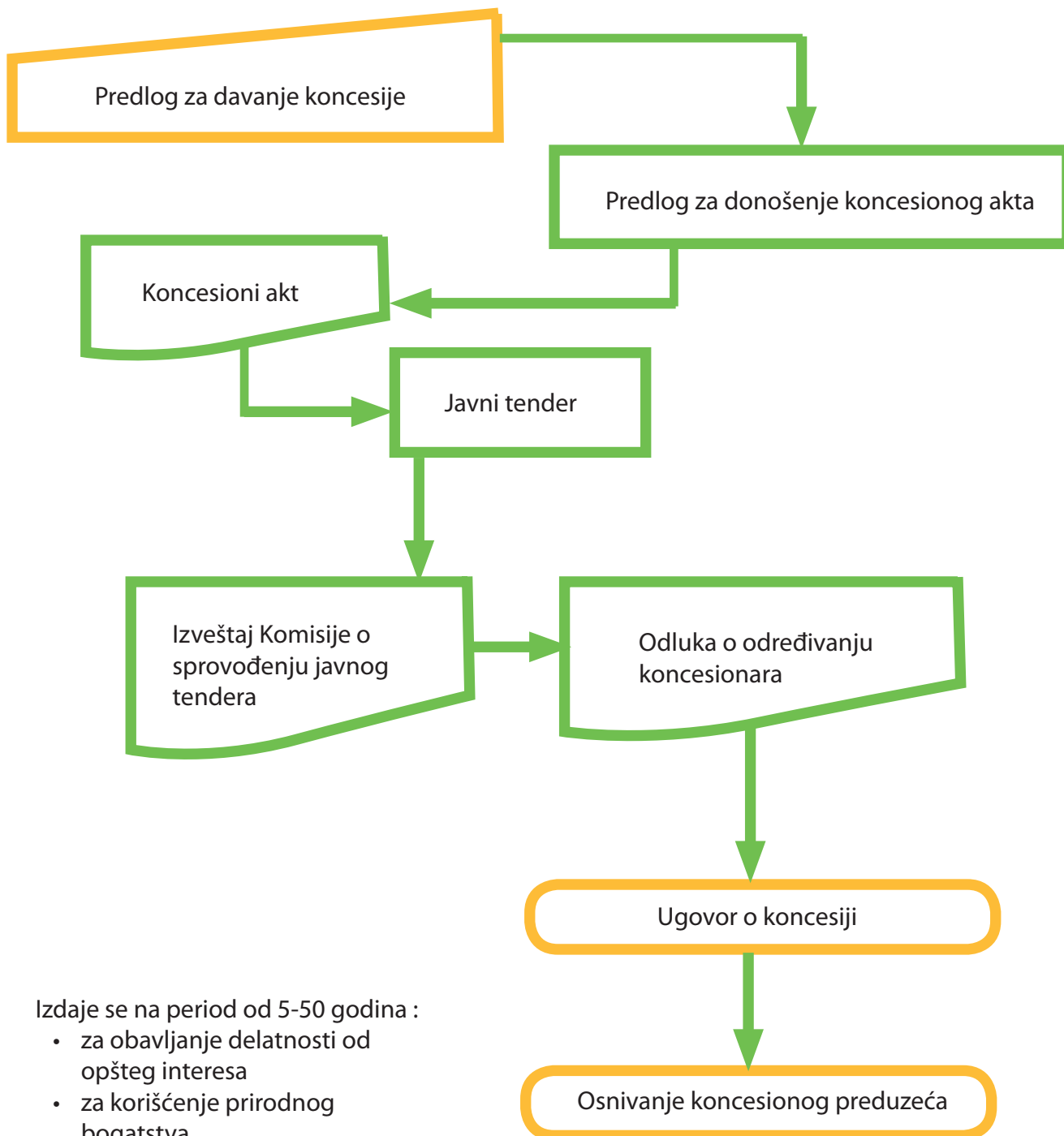


IV-1 Poveravanje obavljanja komunalne delatnosti*

- Poveravanje se vrši na osnovu:
 - odluke skupštine jedinice lokalne samouprave o načinu obavljanja komunalne delatnosti
 - ugovora o poveravanju
- Finansiranje obavljanja komunalne delatnosti određuje postupak poveravanja njenog obavljanja:
 - vršilac dobija pravo da finansiranje obavljanja komunalne delatnosti obezbeđuje u celosti ili delimično naplatom naknade od korisnika usluga, na koji postupak se primenjuju odredbe zakona kojim se uređuju koncesije
 - obavljanje komunalne delatnosti finansira se iz budžeta jedinice lokalne samouprave, na koji postupak se primenjuju odredbe zakona kojim se uređuju javne nabavke
- Zahtev se podnosi nadležnom organu JLS

*NAPOMENA: Zakon o komunalnim delatnostima

IV-1 Koncesija*



*NAPOMENA: Zakon o javno-privatnom partnerstvu

IV-1 Sadržaj ugovora o koncesiji

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

IV-2 Licenca

- Licenca je akt kojim se utvrđuje ispunjenost uslova za obavljanje energetske delatnosti propisanih Zakonom o energetici. Licenca je uslov za sticanje statusa povlašćenog proizvođača električne energije.
- **Zahtev za izdavanje licence*:**
 - Podnosi se:
 - 1) AERS-u za postrojenje na biomasu/biogas za proizvodnju električne energije i kombinovanu proizvodnju električne i toplotne energije (opšti obrazac OO1)
 - 2) nadležnom organu JLS za postrojenje na biomasu/biogas za proizvodnju toplotne energije (opšti obrazac OO2)
 - Sadržaj zahteva prema delatnostima:
 - 1) Obrazac PO 1.5 - Zahtev za izdavanje licence za proizvodnju električne energije za druge elektrane,
 - 2) Obrazac PO 2.1 sa Obrascem PO 2.2 - Zahtev za izdavanje licence za kombinovanu proizvodnju električne i toplotne energije i podaci o gorivu i emisijama gasova i čestica,
 - 3) Obrazac PO 18 - Zahtev za izdavanje licence za proizvodnju toplotne energije.
 - Rok za rešavanje po zahtevu: 30 dana od dana podnošenja zahteva
 - Rok važenja : 30 godina
 - Rok za žalbu: 15 dana – podnosi se ministarstvu nadležnom za poslove energetike

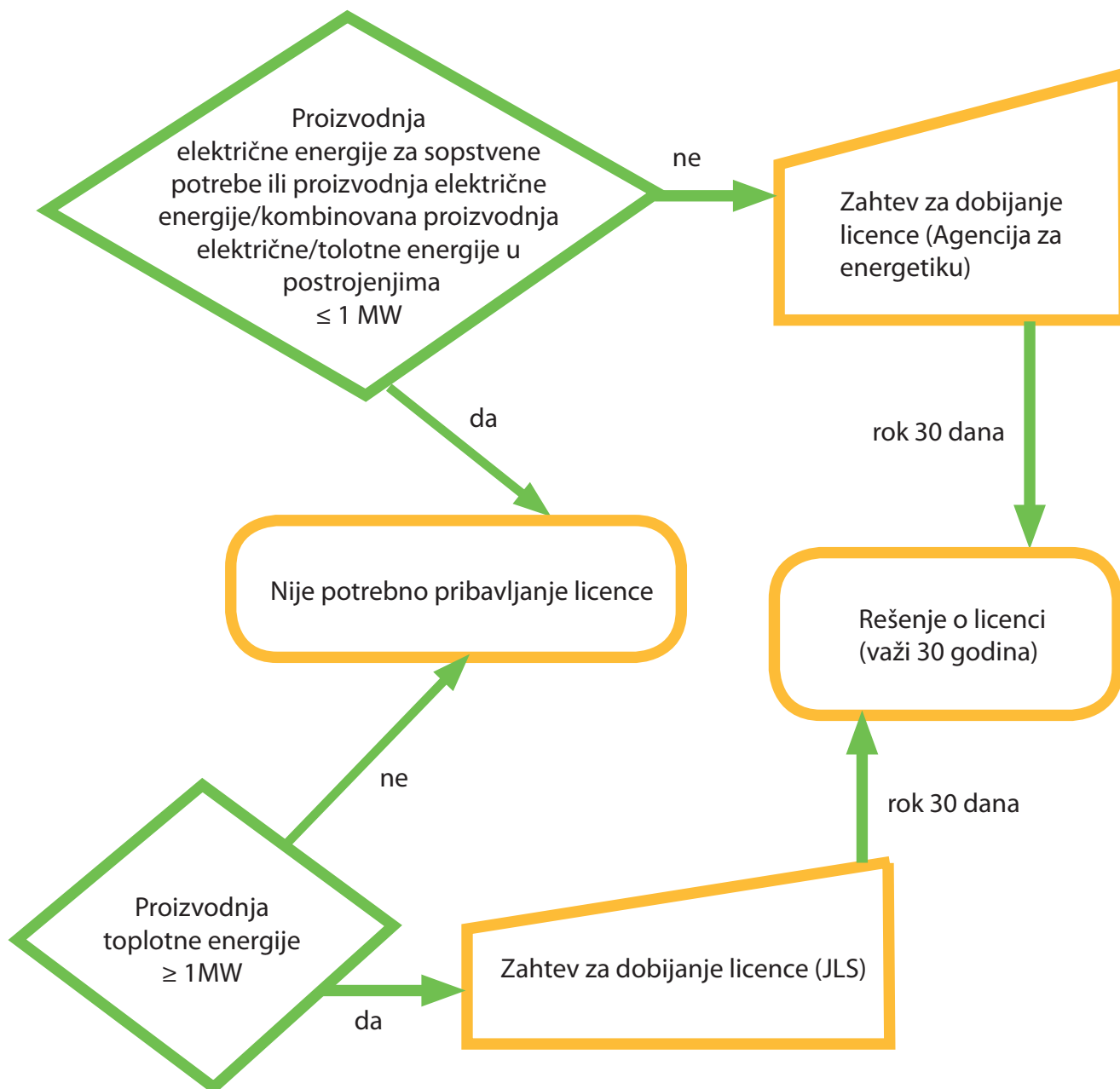
Napomena: Licenca nije potrebna za obavljanje: 1) proizvodnje električne energije u objektima ukupne odobrene snage priključka do 1 MW i manje, osim ako isti energetski subjekt proizvodnju električne energije vrši u dva ili više energetske objekata čija ukupna odobrena snaga prelazi snagu od 1 MW, bez obzira da li su povezani na sistem preko jednog ili više priključaka; 2) proizvodnje električne energije isključivo za sopstvene potrebe; 3) proizvodnje toplotne energije u objektima ukupne snage do 1 MWt i proizvodnje toplotne energije isključivo za sopstvene potrebe; 4) kombinovane proizvodnje električne i toplotne energije u termoelektranama - toplanama u objektima do 1 MW ukupne odobrene električne snage priključka i 1 MWt ukupne toplotne snage, kao i kombinovane proizvodnje električne i toplotne energije isključivo za sopstvene potrebe.

*više na: www.aers.rs

- **Sadržaj zahteva:**

- podaci o: 1) podnosiocu zahteva; 2) energetske delatnosti i; 3) izjave o ispravnosti i istinitosti podataka navedenih u zahtevu iz Opšteg obrasca OO1, odnosno Opštem obrascu OO2.
- Popunjeni obrasci shodno karakteristikama objekta
- uz zahtev se podnosi: 1) akt o osnivanju i izvod iz registra u skladu sa propisom kojim se uređuje registracija privrednih subjekata, kao i akt o poveravanju obavljanja delatnosti od opšteg interesa, odnosno ugovor o koncesiji; 2) upotrebna dozvola, odnosno akt nadležnog organa da nije predviđeno izdavanje upotrebne dozvole; 3) izveštaj nadležnog inspektora da energetske objekti i ostali uređaji, instalacije ili postrojenja neophodni za obavljanje energetske delatnosti ispunjavaju uslove i zahteve utvrđene tehničkim propisima, propisima o energetske efikasnosti, propisima o zaštiti od požara i eksplozija, kao i propisima o zaštiti životne sredine; 4) dokazi o ispunjenosti finansijskih uslova za obavljanje energetske delatnosti i to: 4.1) akt nadležnog organa o izmirenju poreskih obaveza; 4.2) program poslovanja ili poslovni plan za godinu u kojoj se podnosi zahtev za izdavanje licence; 4.3) potvrda poslovne banke o ostvarenom prometu i dnevnom prosečnom stanju sredstava na svim tekućim računima podnosioca zahteva za prethodne dve godine, 4.4) bilans stanja i bilans uspeha za prethodne dve godine 4.5) standardizovane izveštaje o bonitetu: BON 1 - Potpuni izveštaj o pokazateljima za ocenu boniteta, BON 2 - Izveštaj o finansijskom položaju i uspešnosti poslovanja; 5) potvrda nadležnog organa da direktor, odnosno članovi organa upravljanja nisu bili pravosnažno osuđeni za krivična dela u vezi sa obavljanjem privredne delatnosti; 6) akt nadležnog organa kojim se potvrđuje da podnosiocu zahteva nije bila izrečena mera zabrane obavljanja delatnosti ili ako su prestale pravne posledice izrečene mere; 7) pravni osnov korišćenja energetske objekta u kojem se obavlja energetska delatnost; 8) akt nadležnog organa da nad podnosiocem zahteva nije pokrenut stečaj ili likvidacija; 9) izjava podnosioca zahteva da nije bio vlasnik ili imao vlasnički udeo ili bio zaposlen u energetske subjektu kome je trajno oduzeta licenca, koja treba da uključi isti status i za bračne drugove, decu ili srodnike u pravoj liniji nezavisno od stepena srodstva ili pobočne srodnike zaključno sa drugim stepenom srodstva; 10) dokaz o uplati administrativne takse. (Ukoliko podnosilac zahteva posluje manje od dve godine tačke 4.3 – 4.5) se menjaju i glase: 4.3) kao i potvrdu poslovnih banaka o ostvarenom prometu i dnevnom prosečnom stanju sredstava na svim tekućim računima podnosioca zahteva od dana otvaranja tekućeg računa do dana podnošenja zahteva poslovnoj banci, 4.4) bilans stanja i bilans uspeha za prethodnu godinu, odnosno početni bilans stanja, ako energetske subjekt otpočinje sa poslovanjem; 4.5) potvrdu poslovne banke ili matičnog preduzeća da podnosiocu zahteva može staviti na raspolaganje neophodna finansijska sredstva ili druga sredstva obezbeđenja prema obimu planirane aktivnosti).

IV-2 Pribavljanje licence



V Sticanje statusa ((privremenog) povlašćenog) proizvođača energije iz obnovljivih izvora energije

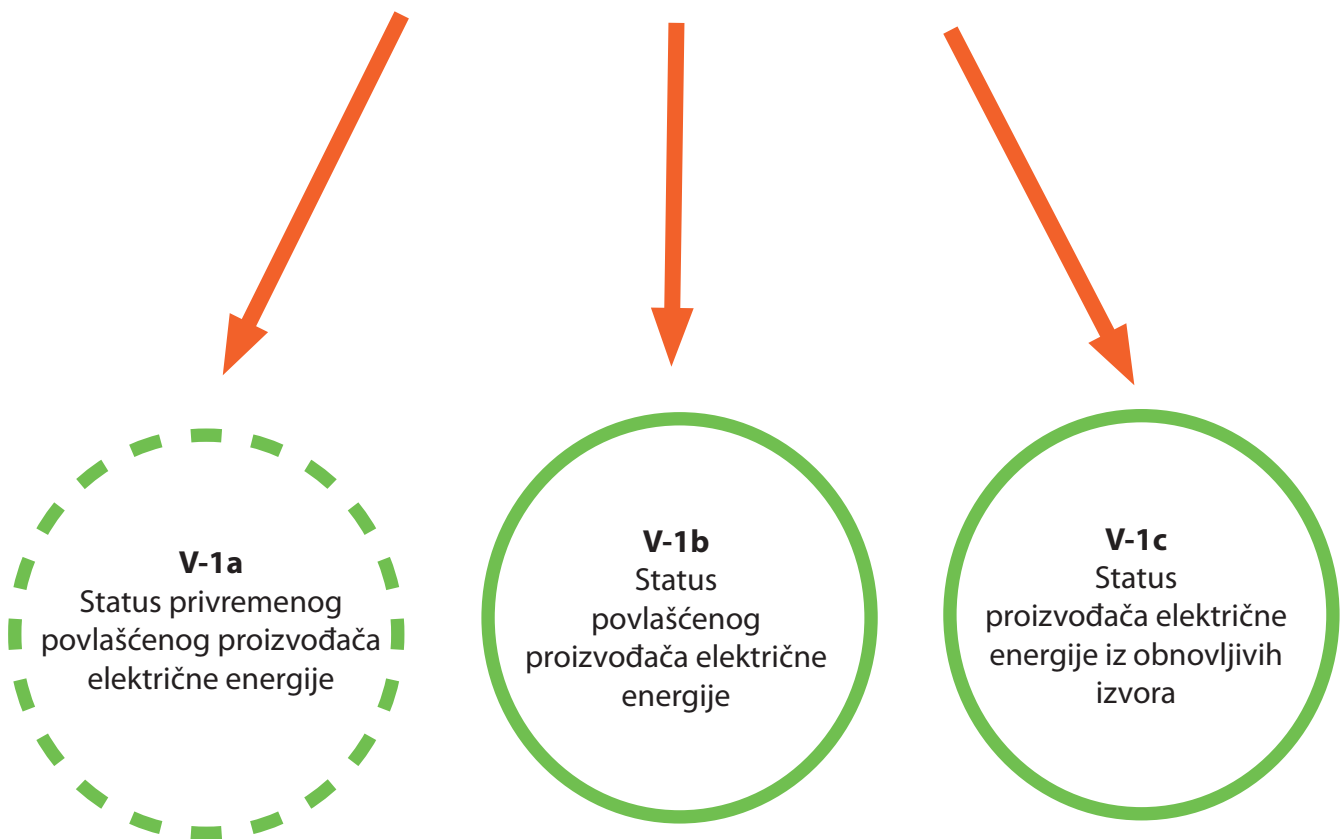
V Sticanje statusa proizvođača energije iz obnovljivih izvora energije

V-1 Status ((privremenog) povlašćenog) proizvođača električne energije koju proizvodi u postrojenju na biomasu/biogas

V-2 Status povlašćenog proizvođača toplotne energije koju proizvodi u postrojenju na biomasu/biogas



V-1 Status proizvođača električne energije - koju proizvodi u postrojenju na biomasu/biogas -



- Energetski subjekt i fizičko lice - samo za instalisane snage do 30 kW.
- Ne može se istovremeno biti nosilac dva ili više statusa.
- Navedeni koraci nisu obavezni, ali omogućavaju ostvarenje odgovarajućih prava.

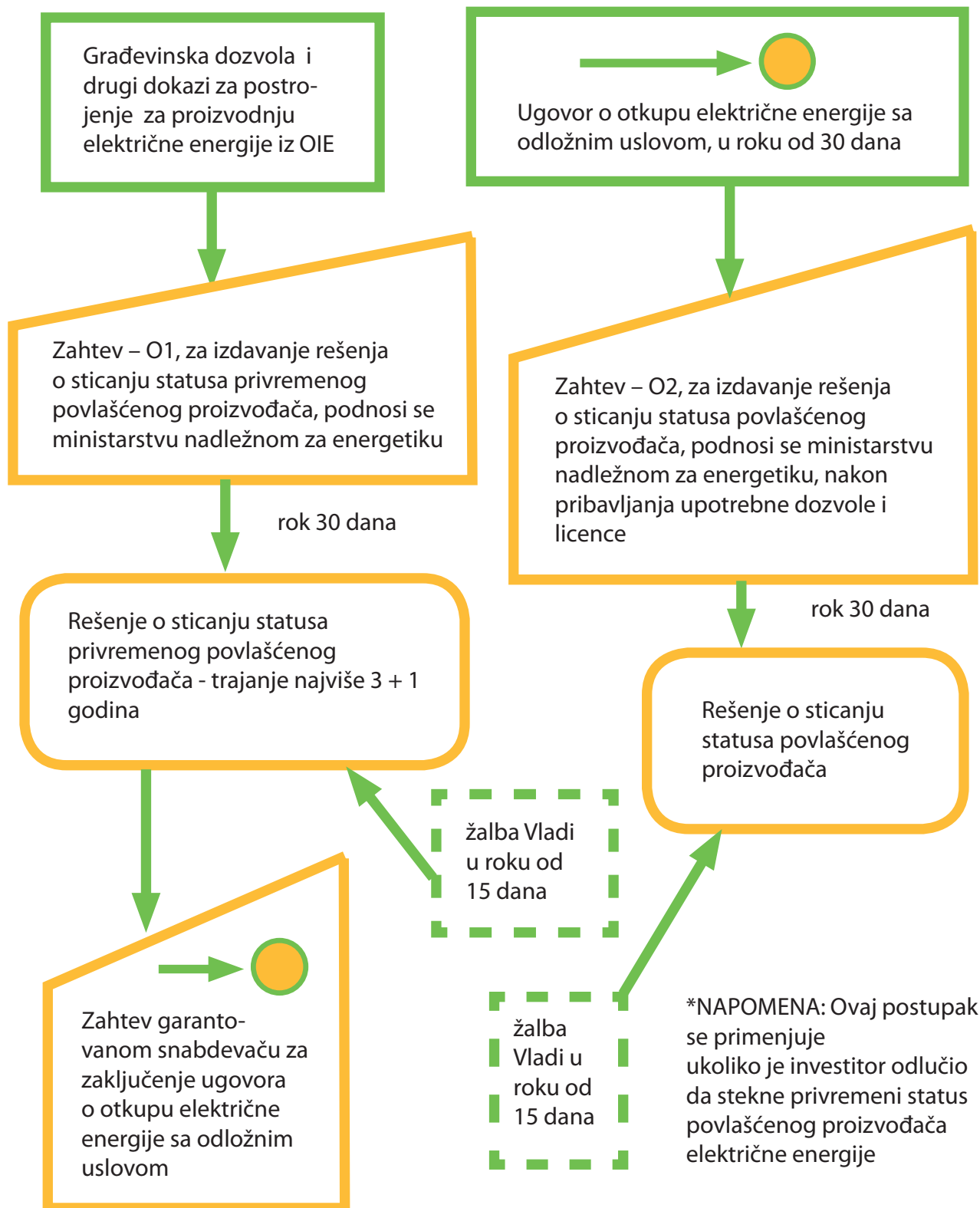
V-1a Status privremenog povlašćenog proizvođača električne energije

- Statusom privremenog povlašćenog proizvođača električne energije investitor obezbeđuje pravo na mere podsticaja sa odložnim uslovom. Istovremeno, podaci o objektu iz rešenja o sticanju ovog statusa daju, operatoru sistema na čiju elektroenergetsku mrežu će se priključiti, informaciju o kapacitetu budućeg objekta za proizvodnju električne energije iz biomase
- Zahtev za sticanje statusa privremenog povlašćenog proizvođača*:
 - Podnosi se nadležnom organu: ministarstvu nadležnom za poslove energetike
 - Sadržaj zahteva: popunjen obrazac O-1 :
 - 1) opšti podaci o podnosiocu zahteva; 2) osnovni podaci o postrojenju
 - **uz ovaj zahtev** se podnosi: 1) za pravno lice, odnosno preduzetnika: izvod o registrovanim podacima (poslovno ime, pravna forma, sedište, delatnost, poreski identifikacioni broj, matični broj); 2) za fizičko lice: fotokopija lične karte, odnosno uverenje o državljanstvu ili fotokopija pasoša, ako je podnosilac strani državljanin; 3) pravosnažna građevinska dozvola; 4) kopija izvoda iz projekta za pribavljanje građevinske dozvole ili idejni projekat ili druga tehnička dokumentacija na osnovu koje se gradi elektranu; 5) dokaz o obezbeđenom novčanom depozitu ili bankarsku garanciju za elektranu instalisane snage veće od 100 kW*, 6) akt o mogućnosti priključenja na elektroenergetski sistem, 7) dokaz o uplati administrativne takse*
 - Rok za rešavanje po zahtevu: 30 dana
 - Rok važenja: 3 godine, može se produžiti izuzetno zbog nepredvidivih okolnosti, dok traju iste
 - Rok za žalbu: 15 dana – podnosi se Vladi
- Cilj: zaključivanje ugovora o otkupu električne energije sa odložnim uslovom sa garantovanim snabdevačem
 - Zahtev za zaključivanje ugovora podnosi se: JP EPS
 - Rok za zaključenje: 30 dana
 - Trajanje ugovora: dok traje status

* više na: <http://www.mre.gov.rs/energetska-efikasnost-obnovljivi-izvori-procedure.php>, gde se nalazi broj računa za uplatu depozita, model bankarske garancije i Obrazac O-1

* model uplatnice se nalazi na: <http://www.mre.gov.rs/energetska-efikasnost-obnovljivi-izvori-takse.php>

V-1a,b Sticanje statusa (privremenog)* i statusa povlašćenog proizvođača električne energije



V-1b Status povlašćenog proizvođača električne energije

- Status povlašćenog proizvođača je uslov za ostvarivanje prava na podsticajne mere – kroz zaključivanje ugovora o otkupu električne energije sa garantovanim snabdevačem
- **Zahtev za izdavanje statusa povlašćenog proizvođača*:**
 - Podnosi se za postrojenje ili deo postrojenja nadležnom organu: ministarstvu nadležnom za energetiku
 - Sadržaj zahteva: popunjen obrazac O-2 sa priložima:
 - Rok za rešavanje po zahtevu: 30 dana
 - Rok važenja: najduže 12 godina
 - Rok za žalbu: 15 dana – podnosi se Vladi

Napomena: Povlašćeni proizvođač koji je prethodno stekao status privremenog povlašćenog proizvođača ima pravo na podsticajne mere koje su bile na snazi u vreme sticanja statusa privremenog povlašćenog proizvođača.

- **Cilj: zaključivanje ugovora o otkupu električne energije sa garantovanim snabdevačem**
 - Zahtev za zaključivanje ugovora podnosi se: JP EPS
 - Rok za zaključenje: 30 dana
 - Trajanje ugovora: dok traje status povlašćenog proizvođača električne energije, tj. ugovor o otkupu električne energije sa garantovanim snabdevačem

* više na: <http://www.mre.gov.rs/energetska-efikasnost-obnovljivi-izvori-procedure.php>, gde se nalazi Obrazac O-2

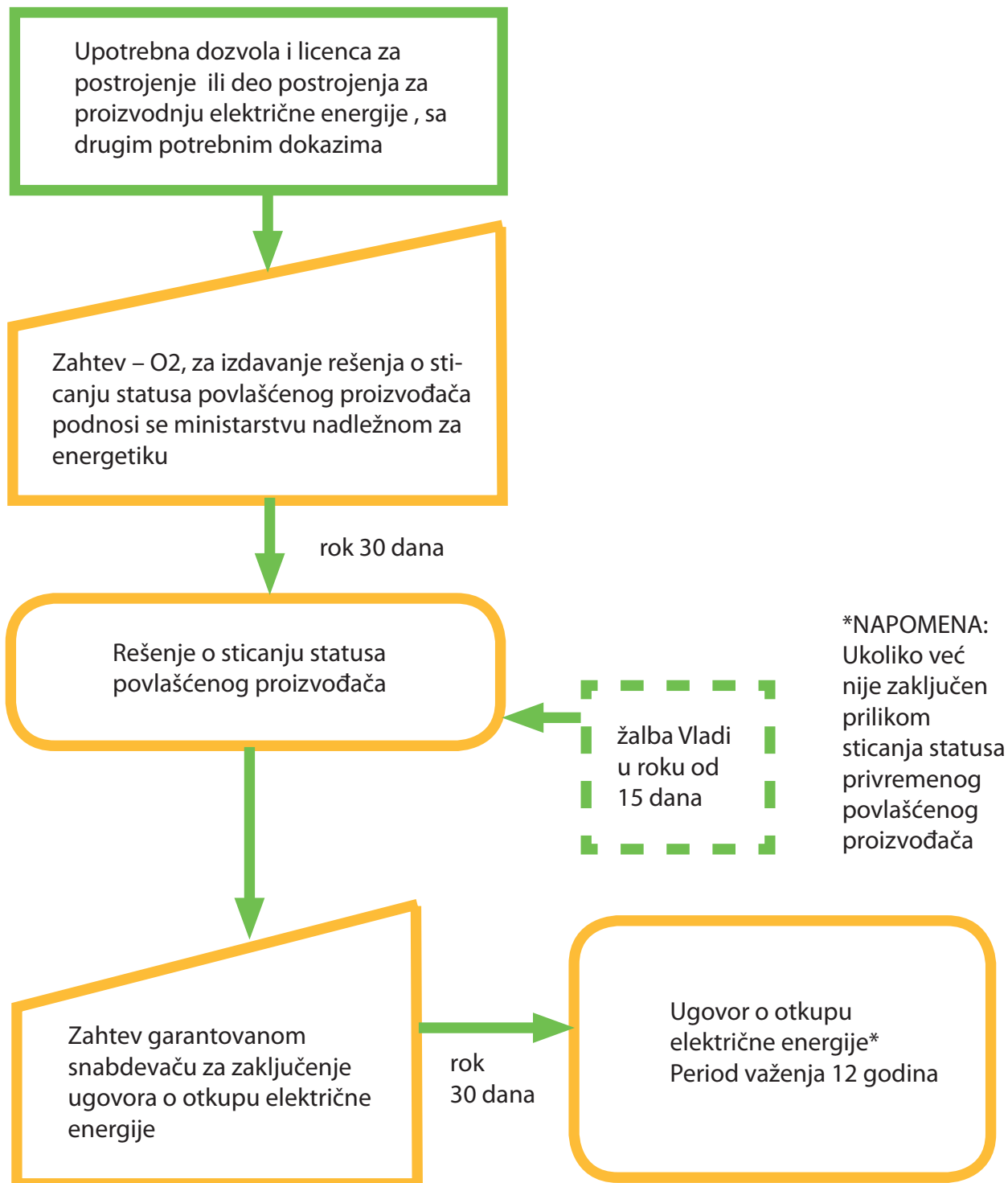
- **Sadržaj zahteva – Obrazac O-2*:**

- 1) opšti podaci o podnosiocu zahteva; 2) osnovni podaci o postrojenju uključujući i opšti tehnički podaci o postrojenju posebno u vezi sa gorivom
- Uz ovaj zahtev se podnosi: 1) za pravno lice, odnosno preduzetnika: izvod o registrovanim podacima (poslovno ime, pravna forma, sedište, delatnost, poreski identifikacioni broj, matični broj); 2) za fizičko lice: fotokopija lične karte, odnosno uverenje o državljanstvu ili fotokopija pasoša, ako je podnosilac strani državljanin; 3) upotrebna dozvola u skladu sa zakonom kojim se uređuje planiranje i izgradnja objekata ili potvrda nadležnog organa da za izgrađenu elektranu, odnosno deo elektrane nije potrebno pribaviti upotrebnu dozvolu; 4) za rekonstruisana postrojenja dokaz o rekonstrukciji postrojenja sa datumom izgradnje i puštanja u rad rekonstruisanog postrojenja, ako se dokazom iz tačke 3) ne može utvrditi da je elektrana rekonstruisana; 5) odobrenje za priključenje elektrane sa šemom mernih uređaja; 6) dokazi da ugrađena oprema nije prethodno korišćena, kao što su: podaci o godini proizvodnje, račun o nabavci opreme ili radova, ugovor sa proizvođačem/dobavljačem, deklaracija proizvođača/dobavljača ili slični dokazi kojima se nedvosmisleno dokazuje da ugrađena oprema nije prethodno korišćena; 7) overena izjava odgovornog lica podnosioca zahteva kojom pod materijalnom i krivičnom odgovornošću potvrđuje da ugrađena oprema nije prethodno korišćena; 8) licenca za obavljanje delatnosti proizvodnje električne energije, u skladu sa Zakonom o energetici; 9) dokaz o uplati administrativne takse*

* više na: <http://www.mre.gov.rs/energetska-efikasnost-obnovljivi-izvori-procedure.php> , gde se nalazi Obrazac O-2

* model uplatnice se nalazi na: <http://www.mre.gov.rs/energetska-efikasnost-obnovljivi-izvori-takse.php>

V-1b Sticanje statusa povlašćenog proizvođača električne energije



V-1b Podsticajne mere

- Pravo na podsticajne mere povlašćeni proizvođač električne energije i privremeni povlašćeni proizvođač ostvaruje zaključenjem ugovora o otkupu električne energije sa garantovanim snabdevačem.
- Podsticajne mere: 1) preuzimanje balansne odgovornosti od strane garantovanog snabdevača; 2) preuzimanje troškova balansiranja, a od strane garantovanog snabdevača; 3) podsticajni period koji traje 12 godina; 4) besplatan pristup prenosnom/distributivnom sistemu; 5) podsticajna otkupna cena.

V-1b Podsticajna otkupna cena

- Podsticajna otkupna cena za proizvedenu električnu energiju utvrđuje se u zavisnosti od vrste i instalisane snage elektrane, kao i maksimalnog efektivnog vremena rada za odgovarajuću vrstu elektrane.

Vrsta postrojenja	Instalisana snaga P (MW)	Podsticajna otkupna cena (c€/kWh)	Maksimalno efektivno vreme rada (h)
Postrojenja na biomasu	do 1	13,26	8600 u godini podsticajnog perioda
	1 – 10	13,82 – 0,56 * P	
	preko 10	8,22	
Postrojenja na biogas	0 - 2	18,333-1,111*P	8600 u godini podsticajnog perioda
	2 - 5	16,85-0,370*P	
	preko 5	15	

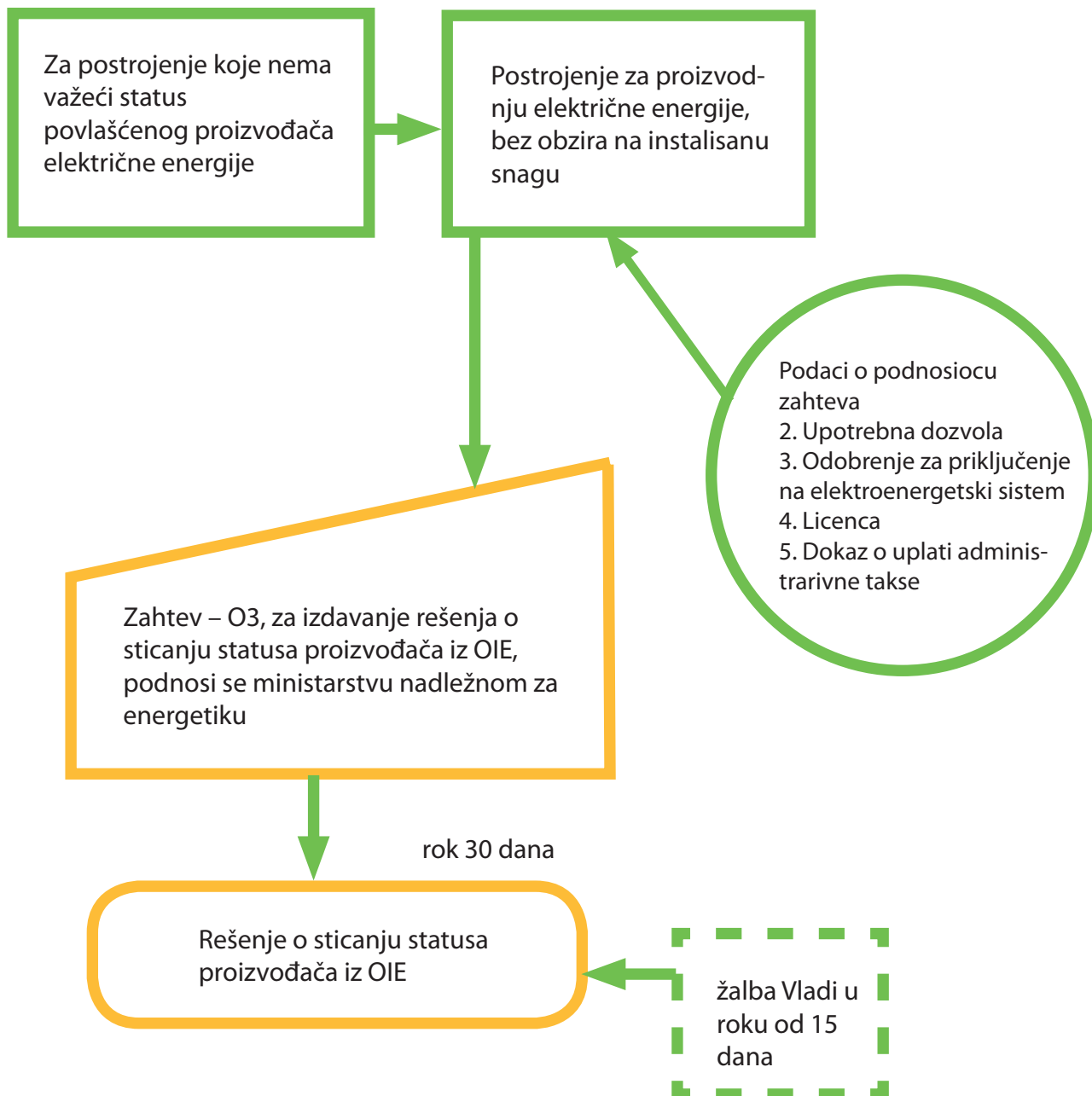
- Maksimalna proizvedena električna energija, koja se može otkupiti po podsticajnoj otkupnoj ceni, izračunava se kao: $E_{el\ max} = P * t_{max}$, gde je: $E_{el\ max}$ – maksimalna proizvedena električna energija za koju povlašćeni proizvođač električne energije ima pravo otkupa od strane garantovanog snabdevača po podsticajnim otkupnim cenama datim u tabeli, izražena u kWh; P – instalisana snaga elektrane, odnosno dela elektrane, izražena u kW; t_{max} – maksimalno efektivno vreme rada dato u tabeli, izraženo u h.
- Do isteka svake godine podsticajnog perioda, dodatnu proizvedenu električnu energiju u odnosu na maksimalnu proizvedenu električnu energiju, garantovani snabdevač kupuje po otkupnoj ceni koja iznosi 35% podsticajne otkupne cene. Povlašćeni proizvođači električne energije za rekonstruisane elektrane ostvaruju pravo na podsticajnu otkupnu cenu u iznosu od 70% vrednosti cene iz tabele. Privremeni povlašćeni proizvođač do početka podsticajnog perioda ostvaruje pravo na podsticajnu otkupnu cenu u iznosu od 50% vrednosti cene iz tabele.

V-1c Status proizvođača električne energije iz obnovljivih izvora energije

- Statusom povlašćenog proizvođača električne energije energetski subjekt obezbeđuje pravo na garanciju porekla i na pravo prvenstva predaje u prenosnu ili distributivnu elektroenergetsku mrežu
- Potpisuje ugovor sa snabdevačem električnom energijom
- **Zahtev za sticanje statusa povlašćenog proizvođača*:**
 - Podnosi se nadležnom organu : ministarstvu nadležnom za energetiku
 - Sadržaj zahteva: popunjen obrazac O-3:
 - 1) opšti podaci o podnosiocu zahteva; 2) osnovni podaci o postrojenju
 - **uz ovaj zahtev se podnosi:** 1) upotrebna dozvola u skladu sa zakonom kojim se uređuje planiranje i izgradnja objekata ili potvrda nadležnog organa da za izgrađenu elektranu, odnosno deo elektrane nije potrebno pribaviti upotrebnu dozvolu; 2) odobrenje za priključenje elektrane sa šemom mernih uređaja; 3) licenca za obavljanje delatnosti proizvodnje električne energije, u skladu sa Zakonom o energetici; 4) dokaz o uplati administrativne takse
 - Rok za rešavanje po zahtevu: 30 dana
 - Rok važenja: dok ispunjava propisane uslove
 - Rok za žalbu: 15 dana – podnosi se Vladi

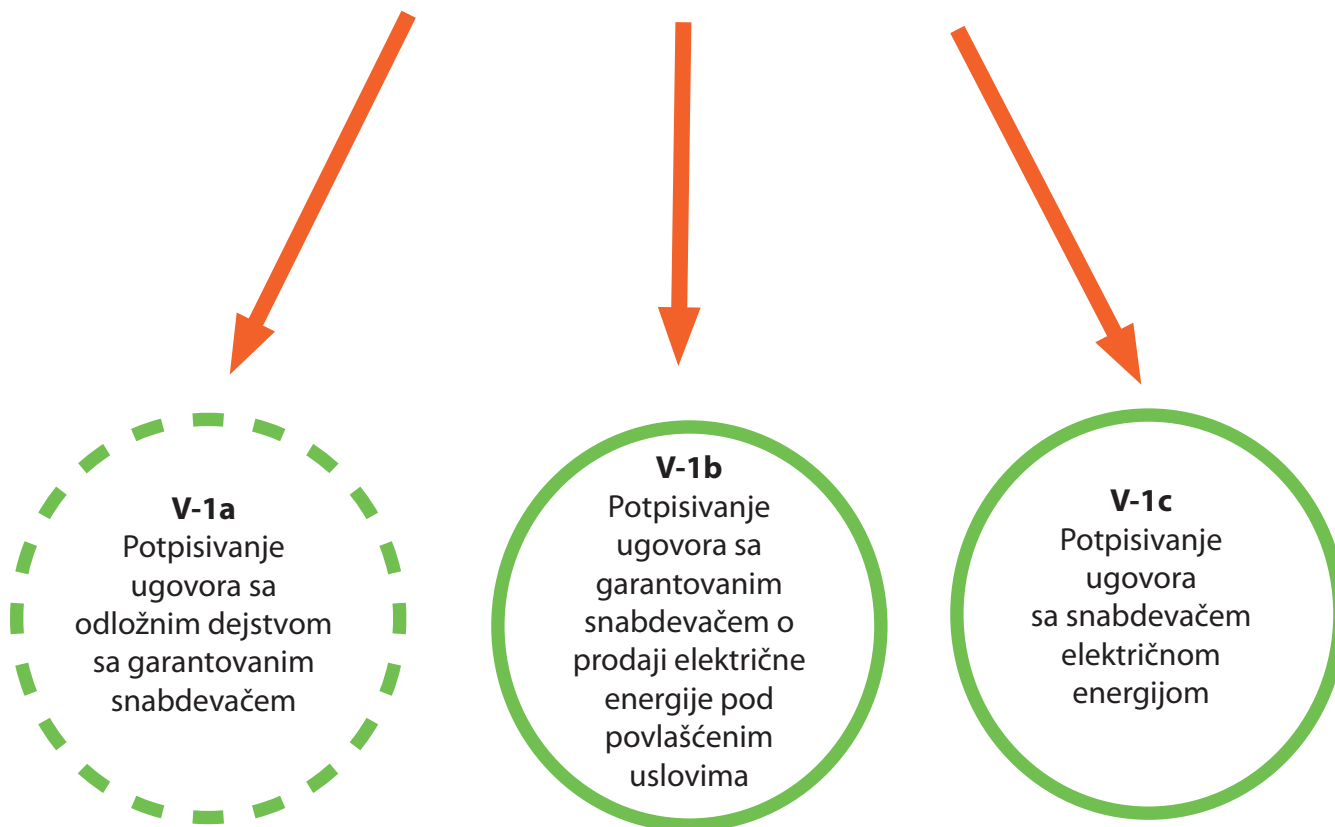
*više na: <http://www.mre.gov.rs/energetska-efikasnost-obnovljivi-izvori-procedure.php>

V-1c Sticanje statusa proizvođača električne energije iz obnovljivih izvora

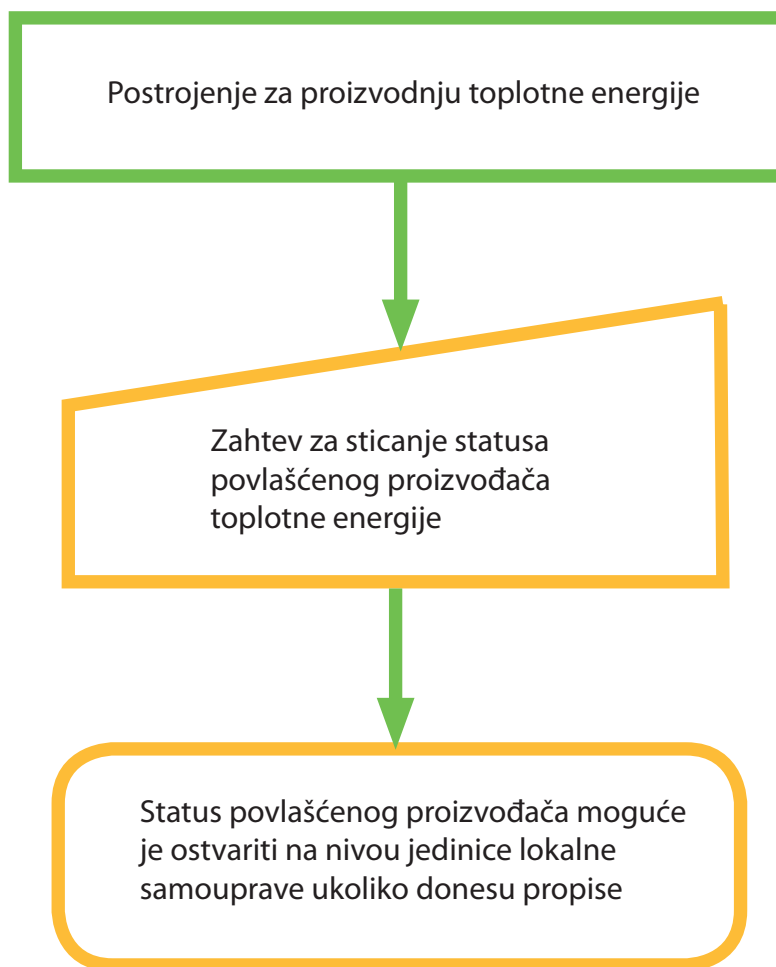


*NAPOMENA: Ostvaruje pravo prvenstva pri preuzimanju ukupno proizvedene električne energije u prenosni ili distributivni sistem, osim u slučaju kada je ugrožena sigurnost rada tih sistema

Proizvodnja i prodaja električne energije

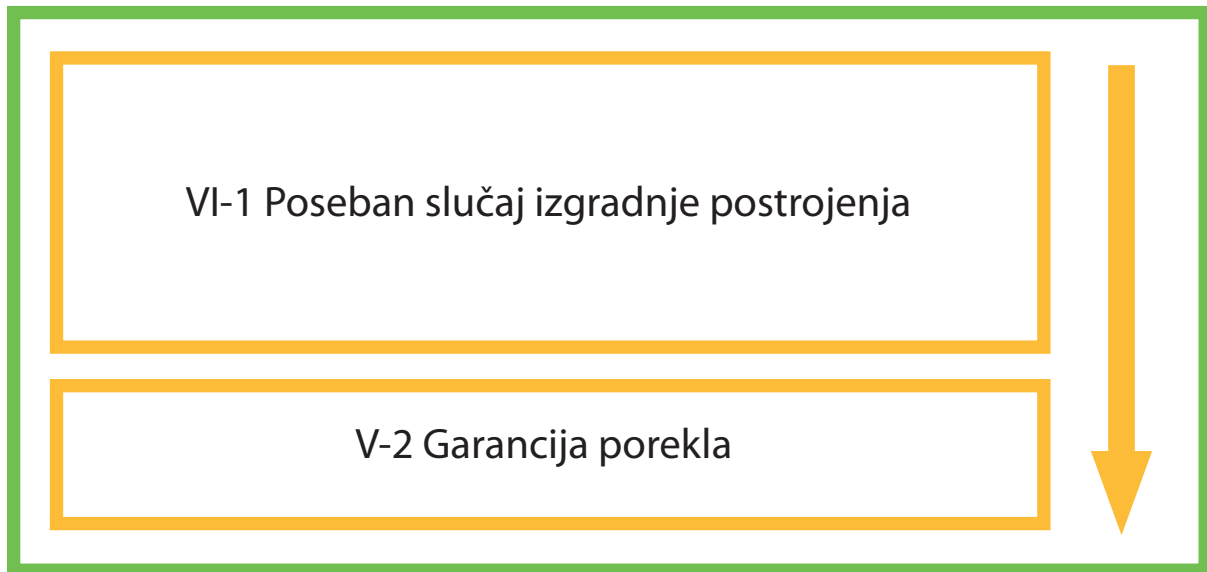


V-2 Sticanje statusa povlašćenog proizvođača toplotne energije



VI Posebni postupci

VI Posebni postupci



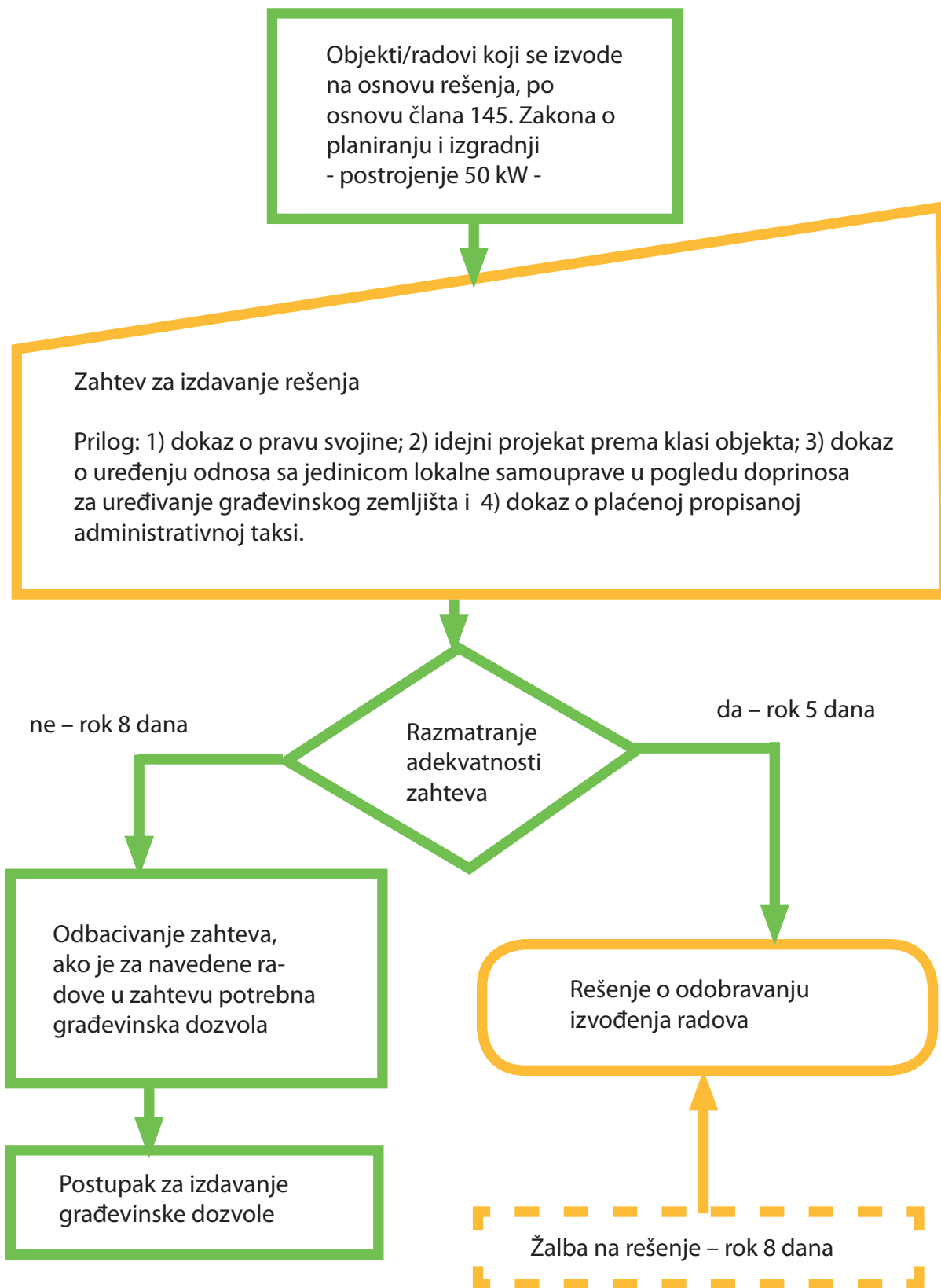
VI-1 Poseban slučaj izgradnje postrojenja

- Poseban slučaj izgradnje postrojenja za koje se ne izdaje građevinska dozvola, u koji spada slučaj postavljanje/gradnja elektrana koje koriste obnovljive izvore energije instalirane snage 50 kW
- **Zahtev za izdavanje rešenja kojim se odobrava izvođenje radova*:**
 - Podnosi se nadležnom organu u objedinjenoj proceduri:
 - 1) ministarstvu nadležnom za građevinarstvo, odnosno nadležnom organu AP ukoliko se postrojenje na biomasu/biogas nalazi na teritoriji autonomne pokrajine za objekte koji su snage 10 MW i više i ukoliko objekti bez obzira nanjihovu snagu ispunjavaju druge uslove iz člana 133. Zakona o planiranju i izgradnji osim ako se objekat postavlja u granicama nacionalnog parka, objekata u granicama zaštite zaštićenog prirodnog dobra od izuzetnog značaja, kao i objekta u zaštićenoj okolini kulturnih dobara od izuzetnog značaja i kulturnih dobara upisanih u Listu svetske kulturne baštine
 - 2) Organu JLS na čijoj teritoriji se nalazi željena lokacija za izgradnju postrojenja, ukoliko se ne radi o objektima navedenim u članu 133. Zakona o planiranju i izgradnji i ukoliko se radi o izuzetku od člana 133. Zakona o planiranju i izgradnji
 - Sadržaj zahteva – popunjen obrazac sa priložima
 - uz ovaj zahtev se podnosi: 1) dokaz o pravu svojine; 2) idejni projekat prema klasi objekta; 3) dokaz o uređenju odnosa sa jedinicom lokalne samouprave u pogledu doprinosa za uređivanje građevinskog zemljišta i 4) dokaz o plaćenju propisanoj administrativnoj taksi
 - Rok za rešavanje po zahtevu: 5 radnih dana od dana pribavljanja svih neophodnih uslova za izdavanje lokacijskih uslova
 - Rok važenja: do završetka radova ili pribavljanja upotrebne dozvole
 - Rok za žalbu: 8 dana – podnosi se Vladi/nadležnom veću JLS

Napomena: Po završetku izgradnje može se zahtevati izdavanje upotrebne dozvole

*više na: www.mgsi.gov.rs

VI-1 Poseban slučaj izgradnje postrojenja - postupak



VI-1 Garancija porekla

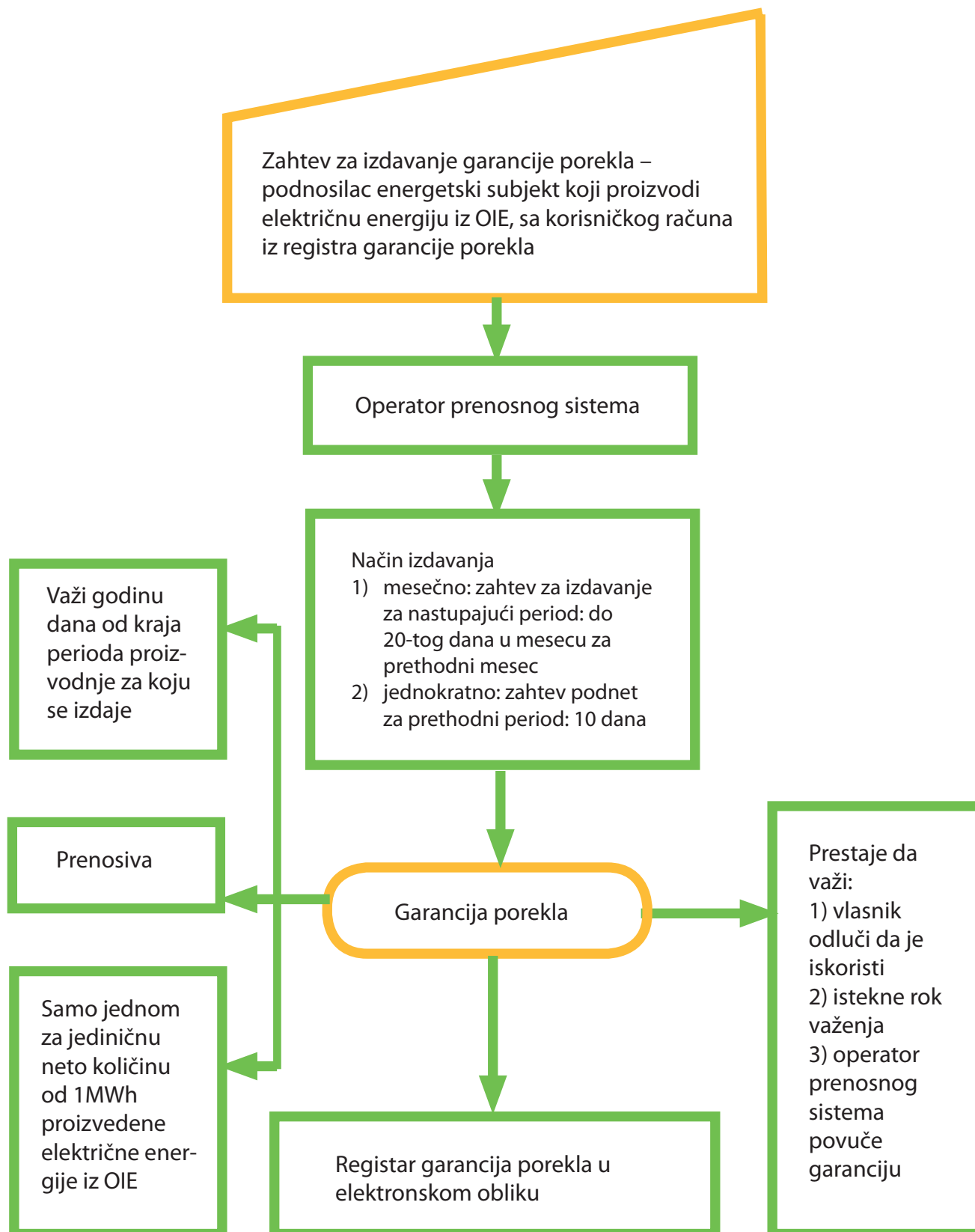
- Dokument – u elektronskom obliku, ima isključivu funkciju da dokaže krajnjem kupcu da je električna energija proizvedena iz obnovljivih izvora energije / kombinovane proizvodnje električne i toplotne energije sa visokim stepenom iskorišćenja primarne energije, izdaje se samo jednom za jediničnu količinu električne energije od 1MWh proizvedene u određenom periodu i može se iskoristiti samo jednom

Garancija porekla izdata u drugim državama važi pod uslovima reciprociteta i u Republici Srbiji i u skladu sa potvrđenim međunarodnim ugovorom

- Zahtev za izdavanje garancije porekla*:
 - Podnosi se Operatoru prenosnog sistema – JP EMS
 - Podnosi se sa korisničkog računa u registru garancija porekla
 - Rok za rešavanje po zahtevu: 10 dana
 - Rok važenja : godinu dana od poslednjeg dana perioda proizvodnje za koju se izdaje

*više na: www.ems.rs i www.mre.gov.rs

VI-2 Izdavanje garancije porekla



Relevantni zakoni, strateška dokumenta, planovi i podzakonska akta

Zakoni

1. Zakon o energetici, Sl. glasnik RS br. 145/14
2. Zakon o upravljanju otpadom, Sl. glasnik RS br. 36/09, 88/10 i 14/16
3. Zakon o planiranju i izgradnji, Sl. glasnik RS br. 72/09, 81/09, 64/10 - odluka US, 24/11, 121/12, 42/13 - odluka US, 50/13 - odluka US, 98/13 - odluka US, 132/14 i 145/14
4. Zakon o prostornom planu Republike Srbije, Sl. glasnik RS br. 88/10
5. Zakon o zaštiti životne sredine, Sl. glasnik RS br. 135/04, 36/09 i 14/16
6. Zakon o proceni uticaja na životnu sredinu, Sl. glasnik RS br. 135/04 i 36/09
7. Zakon o strateškoj proceni uticaja na životnu sredinu, Sl. glasnik RS br. 135/04 i 88/10
8. Zakon o integrisanom sprečavanju i kontroli zagađenja, Sl. glasnik RS br. 135/04 i 25/15
9. Zakon o zaštiti vazduha, Sl. glasnik RS br. 10/13
10. Zakon o zaštiti prirode, Sl. glasnik RS br. 36/09, 88/10, 91/10 i 14/16
11. Zakon o vodama, Sl. glasnik RS br. 30/10 i 93/12
12. Zakon o šumama, Sl. glasnik RS br. 30/10 i 93/12
13. Zakon o opštem upravnom postupku, Sl. glasnik RS br. 18/16
14. Zakon o komunalnim delatnostima, Sl. glasnik RS br. 88/11
15. Zakon o javno-privatnom partnerstvu i koncesijama, Sl. glasnik RS br. 88/11 i 15/16
16. Zakon o privrednim društvima, Sl. glasnik RS br. 36/11, 99/11 i 5/15
17. Zakon o javnim preduzećima, Sl. glasnik RS br. 15/16

Strateški dokumenti i planovi

1. Strategija razvoja energetike Republike Srbije, Sl. glasnik RS br. 101/15
2. Nacionalni akcioni plan za obnovljive izvore energije, Sl. glasnik RS br. 53/13

Uredbe

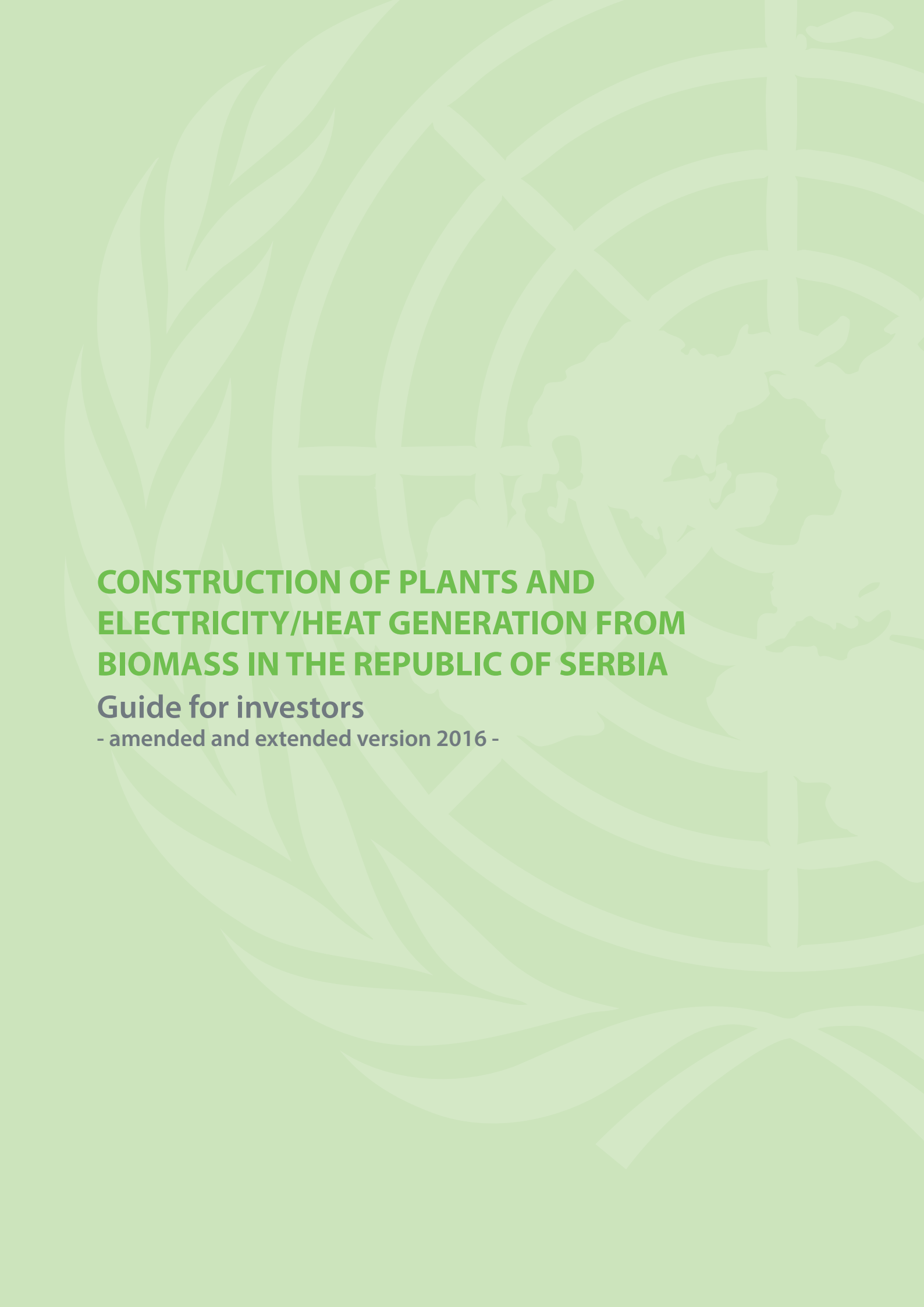
1. Uredba o režimima zaštite, Sl. glasnik RS br. 31/12
2. Uredba o uslovima i postupku sticanja statusa povlašćenog proizvođača električne energije, privremenog povlašćenog proizvođača i proizvođača električne energije iz obnovljivih izvora energije, Sl. glasnik RS br. 56/16
3. Uredba o podsticajnim merama za proizvodnju električne energije iz obnovljivih izvora i iz visokoefikasne kombinovane proizvodnje električne i toplotne energije, Sl. glasnik RS br. 56/16
4. Uredba o otkupu električne energije, Sl. glasnik RS br. 56/16
5. Uredba o naknadi za podsticaj povlašćenih proizvođača električne energije, Sl. glasnik RS br. 56/16

6. Uredba o utvrđivanju Liste projekata za koje je obavezna procena uticaja i Liste projekata za koje se može zahtevati procena uticaja na životnu sredinu, Sl. glasnik RS br. 114/08
7. Uredba o kriterijumima za određivanje najboljih dostupnih tehnika, za primenu standard kvaliteta, kao i za određivanje graničnih vrednosti emisija u integrisanoj dozvoli, Sl. glasnik RS br. 84/05
8. Uredba o lokacijskim uslovima, Sl. glasnik RS br. 35/15 i 114/15
9. Uredba o uslovima isporuke i snabdevanja električnom energijom, Sl. glasnik RS br. 63/13

Pravilnici

1. Pravilnik o energetske dozvoli, Sl. glasnik RS br. 15/15
2. Pravila o radu distributivnog sistema, Sl. glasnik RS br. 11/15
3. Pravila o radu prenosnog sistema, Sl. glasnik RS br. 91/15,
4. Pravilnik o garanciji porekla električne energije proizvedene iz OIE, Sl. glasnik RS br. 24/14
5. Pravilnik o postupku sprovođenja objedinjene procedure, Sl. glasnik RS br. 113/15
6. Pravilnik o sadržini, izgledu i načinu popunjavanja zahteva za izdavanje integrisane dozvole, Sl. glasnik RS br. 30/06
7. Pravilnik o sadržini i izgledu integrisane dozvole, Sl. glasnik RS br. 30/06
8. Pravilnik o sadržini i načinu izdavanja građevinske dozvole, Sl. glasnik RS br. 93/11 i 103/13- odluka US
9. Pravilnik o opštim pravilima za parcelaciju, regulaciju i izgradnju, Sl. glasnik RS br. 22/15
10. Pravilnik o načinu zatvaranja i obeležavanju zatvorenog gradilišta, Sl. glasnik RS br. 22/15
11. Pravilnik o minimalnim garantnim rokovima za pojedine vrste objekata odnosno radova, Sl. glasnik RS br. 93/11
12. Pravilnik o sadržini, načinu i postupku izrade i način vršenja kontrole tehničke dokumentacije prema klasi i nameni objekata, Sl. glasnik RS br. 23/15
13. Pravilnik o sadržini informacije o lokaciji, Sl. glasnik RS br. 35/15





**CONSTRUCTION OF PLANTS AND
ELECTRICITY/HEAT GENERATION FROM
BIOMASS IN THE REPUBLIC OF SERBIA**

Guide for investors

- amended and extended version 2016 -

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Legend of symbols used in diagrams presenting the steps within the procedures



Symbol denoting the application filed by the investor to the competent authorities, authorized organizations, bodies or enterprises



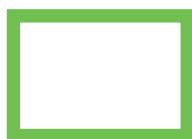
Symbol denoting a question which opens up in the course of the procedure



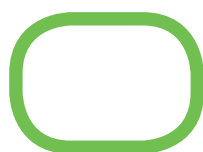
Symbol denoting requirements and input elements of act under consideration



Symbol denoting a positive activity of the competent authority, authorized organization, body or enterprise



Symbol denoting other steps in the specific procedure



Symbol denoting administrative act resulting from the undertaken procedure

Foreword

The United Nations Development Programme (UNDP), acting as an implementing agency of the Global Environment Facility (GEF) is implementing the GEF funded project “Reducing Barriers to Accelerate the Development of Biomass Markets in Serbia” in close partnership with the Ministry of Mining and Energy and the Ministry of Agriculture and Environmental Protection of the Republic of Serbia.

The objective of the Biomass Project is to increase the share of energy from renewable sources in the energy mix of Serbia, namely the share of biomass in power generation.

One of project activities is focused on enhancing the capacity of all relevant stakeholders to develop, finance, construct and operate bankable biomass renewable energy projects. To that end an update and revision of six existing, yet outdated guides for investors in renewable energy facilities has been performed:

1. CONSTRUCTION OF PLANTS AND ELECTRICITY/HEAT GENERATION FROM BIOMASS IN THE REPUBLIC OF SERBIA
2. CONSTRUCTION OF FACILITIES AND ELECTRIC POWER GENERATION IN SMALL HYDRO-POWER PLANTS IN THE REPUBLIC OF SERBIA
3. CONSTRUCTION OF PLANTS AND ELECTRICITY GENERATION IN WIND POWER PLANTS IN THE REPUBLIC OF SERBIA
4. CONSTRUCTION OF PLANTS AND ELECTRICITY/HEAT GENERATION FROM HYDRO-GEO-THERMAL SOURCES IN THE REPUBLIC OF SERBIA
5. CONSTRUCTION OF PLANTS AND ELECTRICITY GENERATION IN WIND POWER PLANTS IN THE REPUBLIC OF SERBIA
6. CONSTRUCTION OF SOLAR HEATING SYSTEMS IN THE REPUBLIC OF SERBIA

All guides are bilingual and, except for one, were delivered in two versions. Six detailed guides describe in details the comprehensive procedure for constructing the energy facilities and performing economic activity of energy generation from renewable sources. Detailed guides are intended primarily to investors and project developers, but also to officials in different competent institutions since the legal procedure is cross-sectoral. In five less detailed guides the comprehensive matter is described in simpler and illustrative manner with an idea to get this topic closer to the wide range of stakeholders.

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

Introduction

- biomass/biogas plants which may acquire the status of ((temporary) privileged producer of electricity from renewable sources -

- A biomass plant (facility) is a plant using biodegradable matter including: 1) plants, parts of plants and plant residues from agriculture (straw, corn residues, branches, stones, peels), manure from farms, etc., 2) plants, parts of plants and plant residues from forestry, residues after felling of trees, etc., 3) plants, parts of plants and plant residues from fast-growing energy plantations, 4) matter resulting from fisheries and aquaculture, 5) biodegradable residues from food, wood and related industries, 6) separated biodegradable fraction of municipal waste, 7) by-products of animal origin used in accordance with veterinary regulations, and 8) energy sources produced by a technological process from materials stated in this item
- A biogas plant (facility) is a plant with one or more production units using gas resulting from the plant's own digestors by anaerobic processes from biomass and by-products of animal origin used in accordance with veterinary regulations

NOTE: it should be noted that this Guide refers to all biomass/biogas plants and that it describes procedures before competent authorities and institutions, while certain parts of these procedures, as well as the implementation of certain procedures depend on the size of facilities, the location where the facility is constructed, the specific technology for energy generation and other characteristics of the biomass/biogas facility.

The Energy Law:

“Biomass is the degradable part of product, waste or residue of biological origin from agriculture (including plant and animal matter), forestry and related industries, and the biodegradable part of industrial and municipal waste”

Straw and other non-hazardous agricultural or forest material found in nature and used in agriculture, forestry or for energy generation from such biomass by means of procedures or methods which do not produce harmful effects on the environment or public health

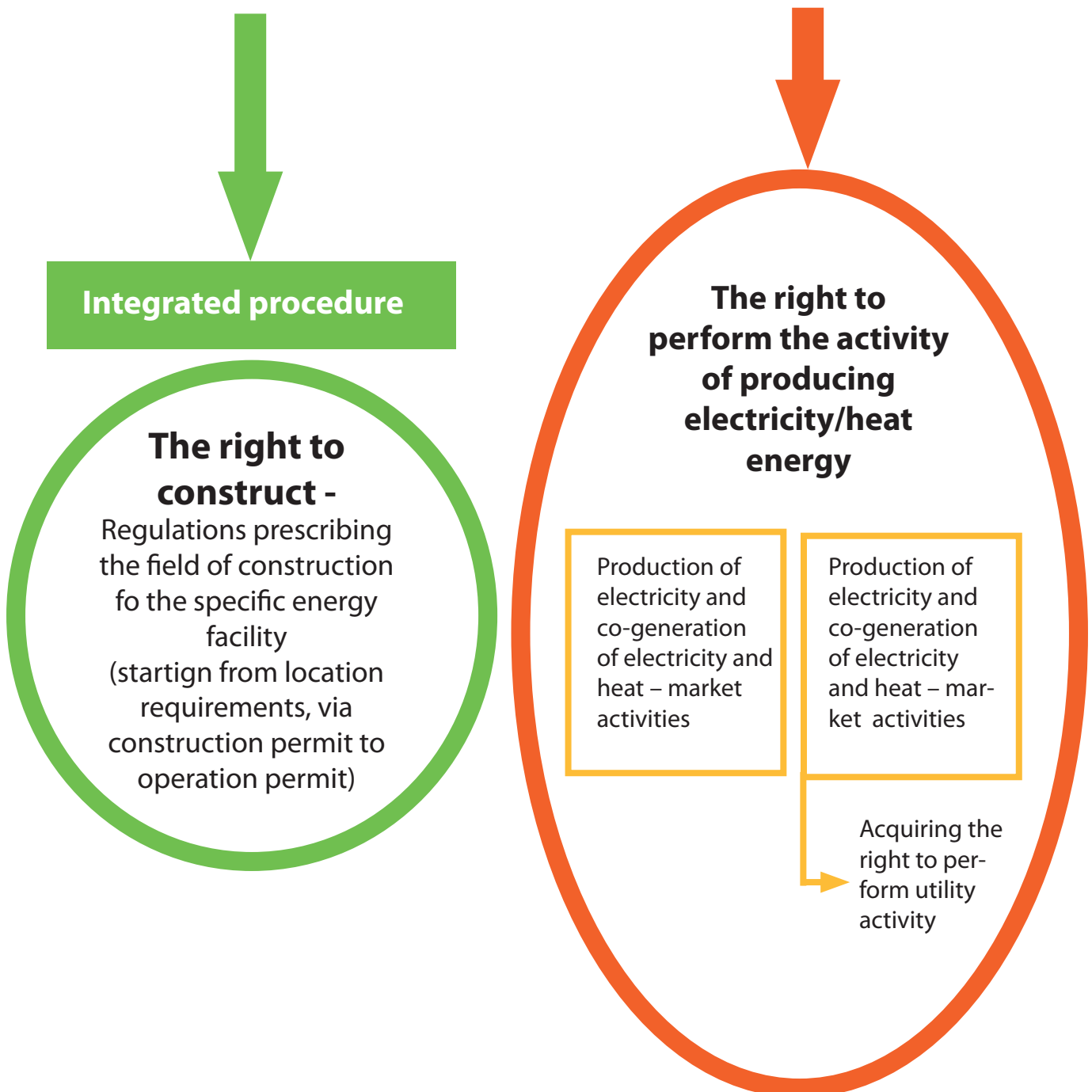
Not subject to the Law on Waste Management

Waste of animal origin (carcasses of animal origin and parts thereof and integral parts of the animal bodies not intended or not safe as food for human use, and confiscates) from plants growing, accommodating, and slaughter of animals, and plants for production, storage and trade of products of animal origin, fecal matter from farms and other natural, non.-hazardous substances used in agriculture

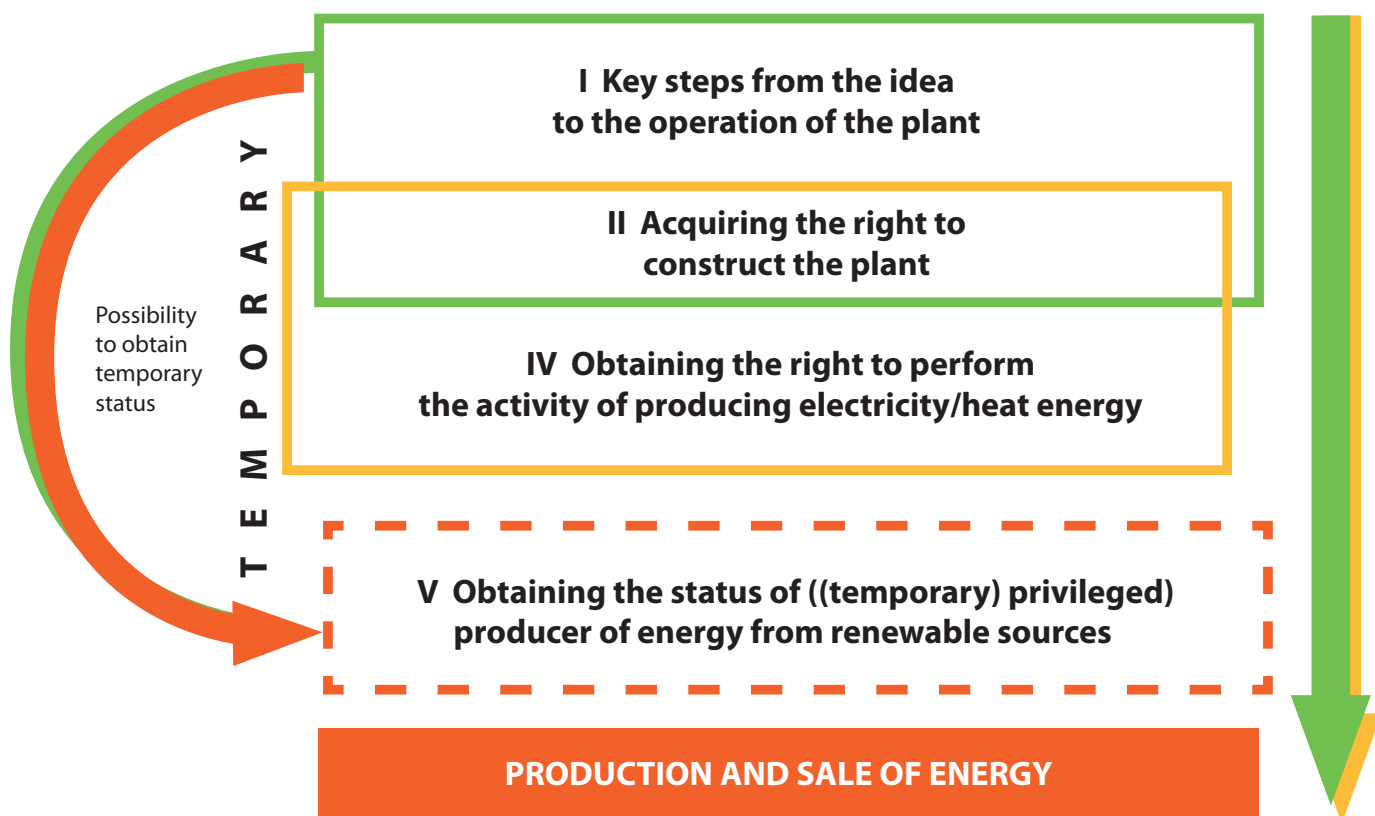
**Everything else
Is subject to the Law on Waste Management**

I Biomass/biogas plants

The Investor needs to obtain the following rights:



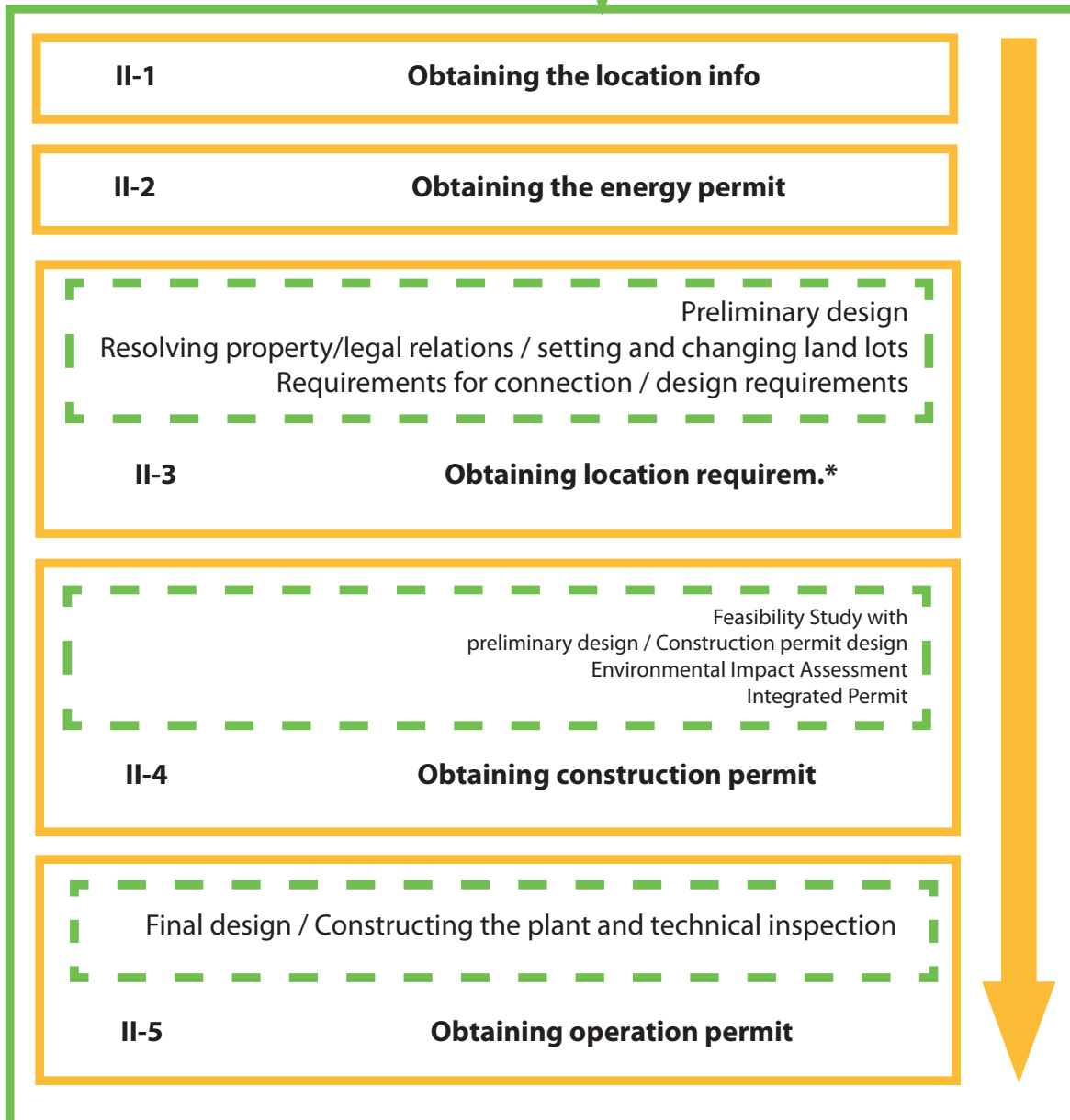
I Key steps from the idea to the operation of the plant



II Acquiring the right to construct the plant



II Acquiring the right to construction



*can be done before or after obtaining the energy permit

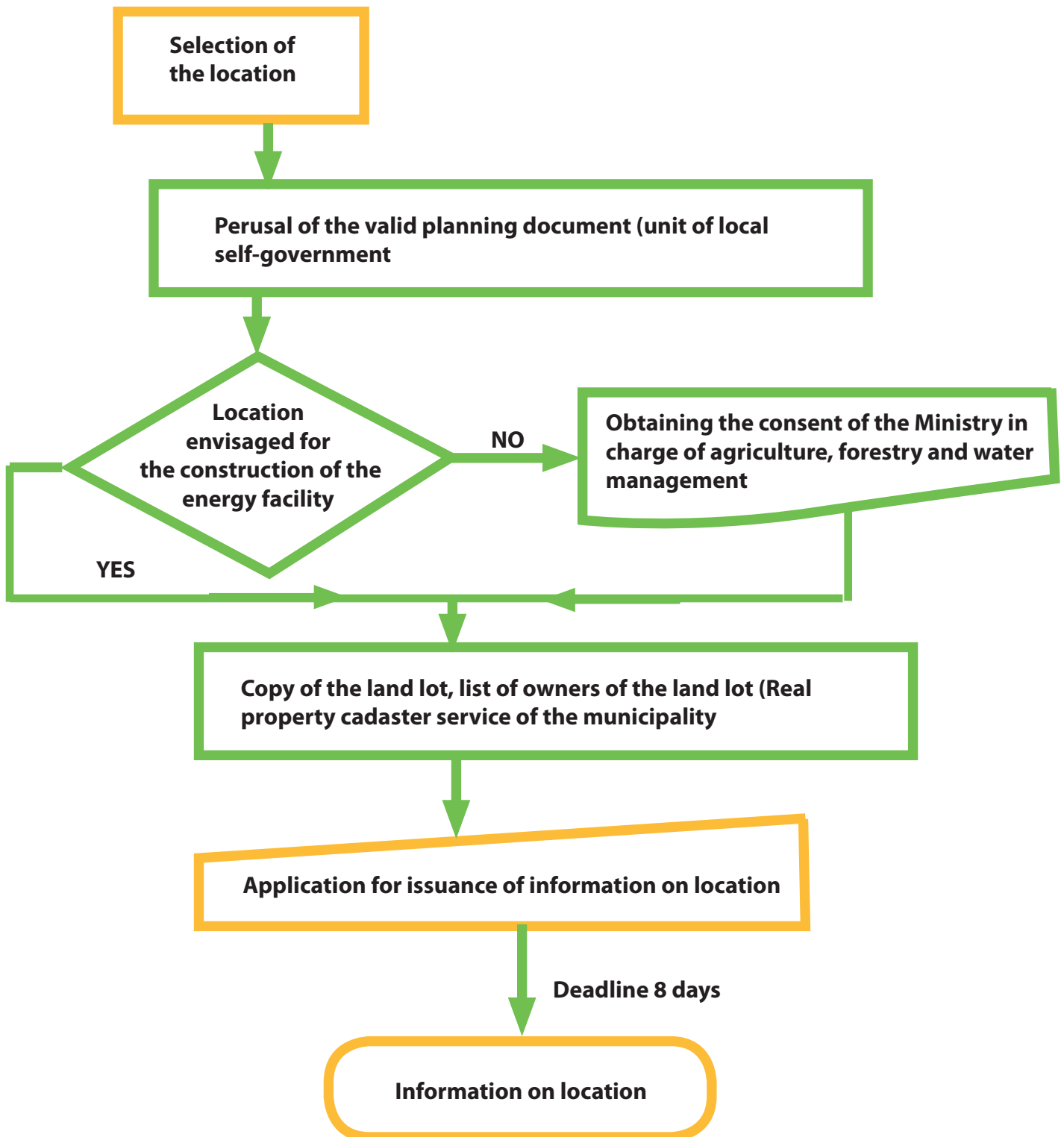
II-1 Information on location

- Information on location contains data on possibilities and limitations for construction on the relevant cadaster lot/a group of cadaster lots, on the basis of the planning document.
- **Request for issuance of information on location*:**
 - Filed to the competent authority:
 1. Ministry of Construction, or the relevant authority of the AP in case that the biomass/biogas plant is located in the territory of the AP, for facilities of capacity 10 MW or more, and in case that facilities, irrespective of their capacity, fulfill other conditions from Article 133 of the Law on Planning and Construction,
 2. A body of the unit of local self-government in whose territory the potential location of the facility is located, for plants stated in Article 133 of the Law on Planning and Construction
 - Contents for the application: the application enclosing the copy of the land lot(s) plan (issued by the competent cadastre for the territory of the relevant municipality where the facility is to be constructed)
 - Deadline to decide on the application: 8 days of the filing of the application

Note: When filing the application for the plan copy, it is recommended to file the request for the issuing of the excerpt of the property list for the cadastre lot(s) in order to identify the ownership over the land

*more details at: www.mgsi.gov.rs

II-1 Selection of location, perusal of the valid planning documents, and information on location



II-2 The Energy Permit

- The Energy Permit is an act which is a pre-requisite for obtaining the Construction Permit
- **The application for the issuing of the Energy Permit*:**
 - Shall be filed to the:
 - 1) Ministry of Mining and Energy for biomass/biogas facilities for the production of electricity or for power and heat co-generation,
 - 2) Relevant authority of the unit of LSG for biomass/biogas facilities for production of heat energy.
 - Content of the application:
 - 1) Form O-1 – Application for issuing of permit – extension of validity of the energy permit for construction of energy facilities for production of electricity of capacity 1 MW or more, facilities for production of electricity of capacity up to 1 MW which utilize water as the primary energy resource, and facilities for power and heat co-generation in thermal power plants / heating plants of capacity 1 MW or more and total heat capacity 1 MW and more,
 - 2) Form O-8 - Application for issuing of permit – extension of validity of the energy permit for construction of energy facilities for production of heat of capacity 1 MW or more.
 - Deadline to decide on the application: 30 days of submission of application
 - Validity period: 3 years, and can be extended for a maximum of one additional year
 - Deadline for appeals: 15 days – to be filed to the Government/Ministry of Mining and Energy

Notes:

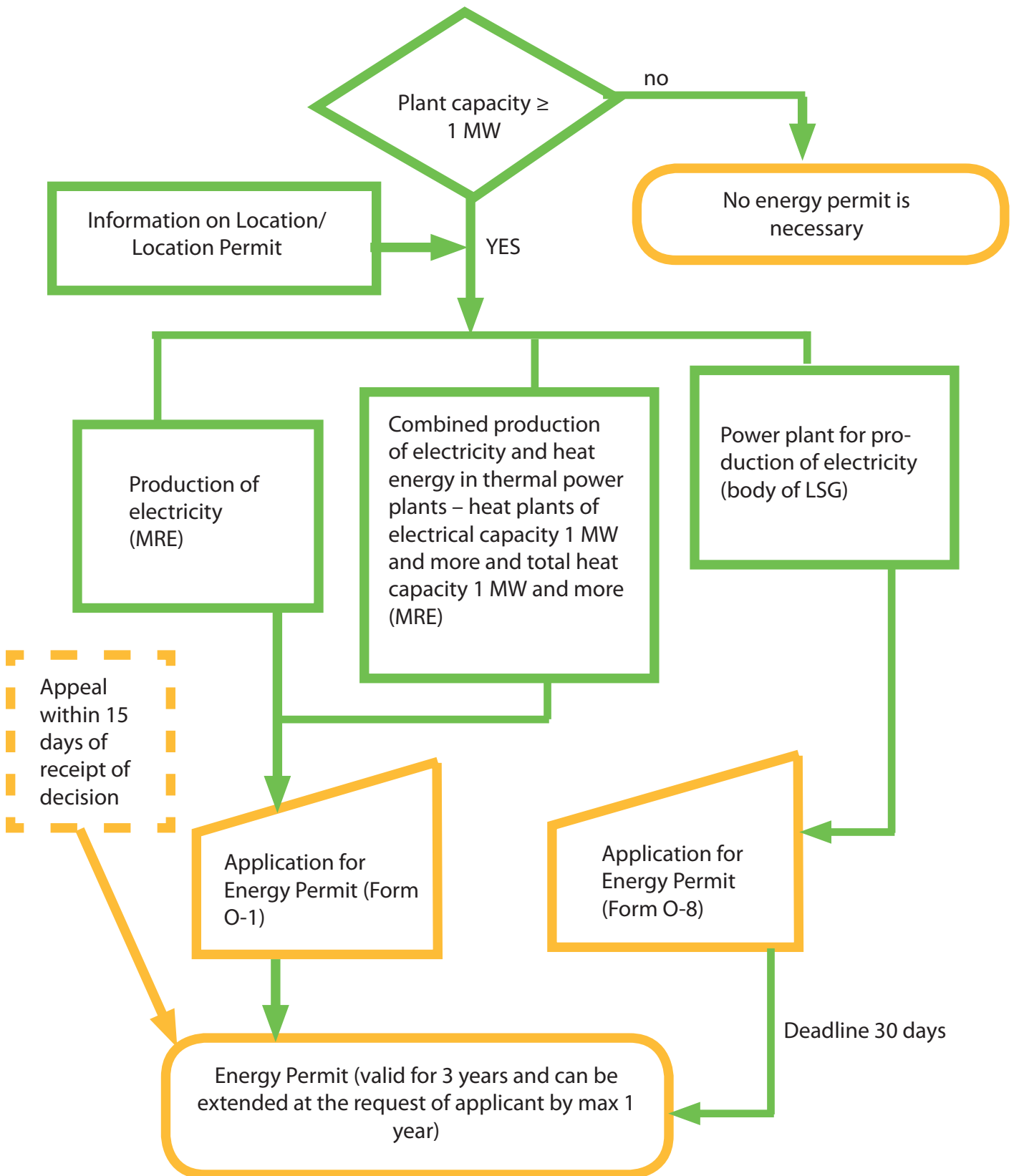
- 1) The Energy Permit is not necessary for biomass/biogas facilities of capacity under 1 MW.
- 2) The Energy Permit is not necessary if the facility is constructed through a public/private partnership or concession.

*više na: www.mre.gov.rs

- **Content of application:**
 - **Data on** 1) the applicant; 2) energy facility; 3) value of the investment; 4) manner of securing financing; 5) foreseen exploitation life of the facility, as well as on the manner of site rehabilitation after the expiry of the exploitation life of the facility; 6) compliance with the corresponding planning documents in line with the law governing the conditions and manner of space arrangement, arrangement and use of the construction land and the construction of the facility; 7) the deadline for completion of the construction of energy facility. If the facility is to be constructed on an exploitation field, the application shall contain the consent of the minister in charge of geology and mining.
 - **Attachments to the application:** 1) for legal entities and entrepreneurs: excerpt from the Register of Companies (business name, legal form, registered seat, activity, tax identification number, registry number); 2) for physical persons: photocopy of personal identity card, certificate of nationality and photocopy of passport, if the applicant is a foreign citizen; 3) Information on Location or the Location Permit (with attached preliminary feasibility study or a feasibility study and a preliminary design, in accordance with the Law on Planning and Construction, and the report of the review commission in cases when the general design or the preliminary design are subject to review under the Law on Planning and Construction; 4) certified statement of designer in charge confirming compliance with technical regulations with respect to construction of the facility, energy efficiency, possibility of connection to the existing power grid, fire-fighting protection, safety at work and safety of people and property, environmental protection, etc., in compliance with the Rulebook on Energy Permits, if the technical documentation (preliminary feasibility study with the general design or feasibility study and concept design and the report of the review commission) do not require a revision according to the law regulating planning and construction; 5) certificate of deposit payment amounting to 0.5% of the RSD value of the investment not including VAT or a certified document evidencing that funds have been provided for the construction of the energy facility in the amount of the said monetary deposit; 6) opinion of the system operator on requirements for and possibilities of connection of the new facility to the energy systems

Note: evidence of property right or right of lease for the land on which it is planned to construct the energy facility is not a requirement for the issuing of the energy permit.

II-2 Acquiring the Energy Permit



II-2 Opinion of system operator on connection of the energy facility to the energy system

- The Opinion of the system operator regarding the conditions and possibilities for connection to the power system is an act necessary for the obtaining of the energy permit.
- **The application:**
 - Filed to: the operator of the system to whose power system the biomass/biogas facility is to be connected, filed on a prescribed form.
 - Content of application: defined by acts of the system operator*.
 - Deadline for issuing of the Opinion:
 - Transmission network: 90 days of the date of advance payment, to the account of the operator of the transmission system, for the preparation of the Study for Connection of the Facility to the transmission system, based on the Contract for the Study on Connection.
 - Distribution system: 30 days of submission of application.
 - Validity: determined in the act itself.

Note: The issuing of this act is prescribed by the Rulebook on Energy Permits, but the conditions and the procedure and method of issuance of this Opinion are not prescribed in government regulations, but only by the system operator to whose system the connection is to be made.

* more details at : www.ems.rs and www.eps.rs

II-3 Location Requirements

- Location Requirements contain all urban planning, technical and other conditions and data necessary for the preparation of the preliminary design and the design for the construction permit and the final design, as well as other conditions and data regarding the future biomass/biogas facility
- **The application for issuance of Location requirements*:**
 - Filed to the competent authority within the integrated procedure:
 - 1) Ministry of construction or the competent authority of the AP if the biomass/biogas facility is to be located in the territory of the AP for facilities of capacity 10 MW and more and for facilities irrespective of their capacity which fall under the Article 133 of the Law on Planning and Construction
 - 2) The authority of the unit of LSG in whose territory the desired location for the construction of the facility is located, unless it is a facility governed by Article 133 of the Law on Planning and Construction
 - Pre-requisite – forming the building plot (parcellation/re-parcellation)
 - Content of application – filled in form with appendices
 - Deadline to decide on the application: 5 working days of the date of obtaining all necessary conditions for the issuance of location requirements
 - Validity: 12 months or until the expiration of the construction permit
 - Deadline for appeals: 3 days – filed to the Government/the relevant municipal council of LSG

Note:

- 1) Special procedure – obtaining the requirements for the connection of the biomass/biogas facility to the power network
- 2) Although it is not a requirement in this stage, it is necessary to resolve all property relations in order to enable smooth construction of the facility

* more details at: www.mgsi.gov.rs

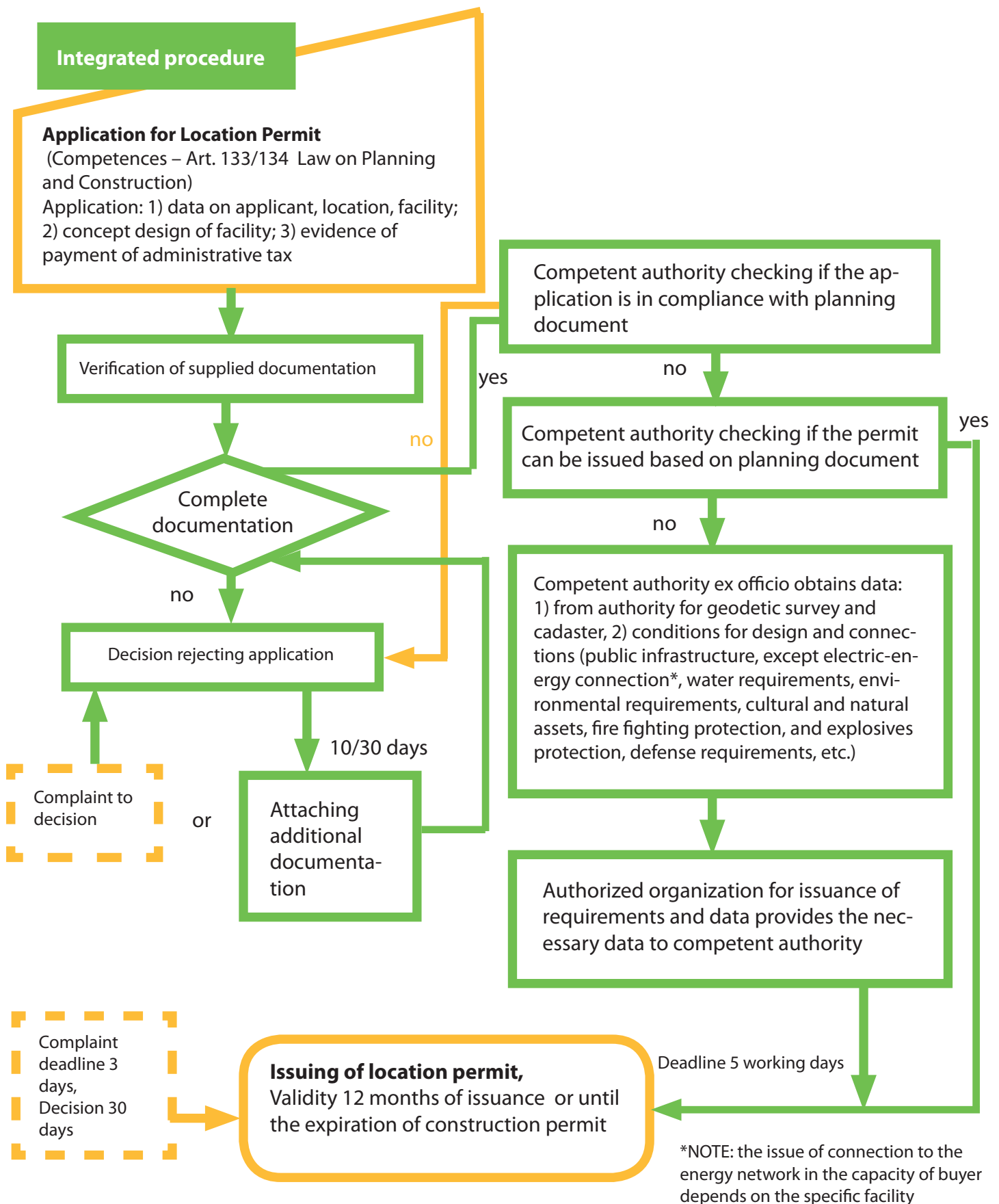
Content of application:

- data on the location (address and name of cadaster municipality and numbers of lots and their size); 2) data on the structure for which the permit is requested (construction and intended use of the structure according to the Rulebook on Classification of Structures – (“power plants”), category (“G”), classification number (“230201”) and the gross developed construction surface); 3) data on structures existing in the plot; 4) statements regarding the costs of obtaining location permits and delivery; 5) list of appendices and the appendices themselves; 6) data on the applicant.
- **Appendices to the application:** 1) concept design of the future structure or part of structure (sketch, drawing, graphical presentation, etc.), developed and with appendices according to the Instructions on the manner of actions by competent authorities and holders of public competences implementing the integrated procedure with respect to water acts in the process of exercising rights for construction and the rulebook regulating the content of technical documentation, and 2) evidence of paid administrative tax for the filing of application. If the biomass/biogas facility has impacts on the water regime, the 3) Hydrological Study shall be enclosed.

Note: If the biomass/biogas facility has impacts on the water regime, the integrated procedure shall also include the obtaining of water requirements including the preparation of the Hydrological Study.

*for more details see: www.mgsi.gov.rs - Instructions on the manner of actions by competent authorities and holders of public competences implementing the integrated procedure with respect to water acts in the process of exercising rights for construction, <http://www.mgsi.gov.rs/cir/dokumenti/uputstvo-onačinu-postupanja-nadlezhnih-organa-i-imalaca-javnih-ovlashtshenja-koji-0>

II-3 Obtaining the Location Permit



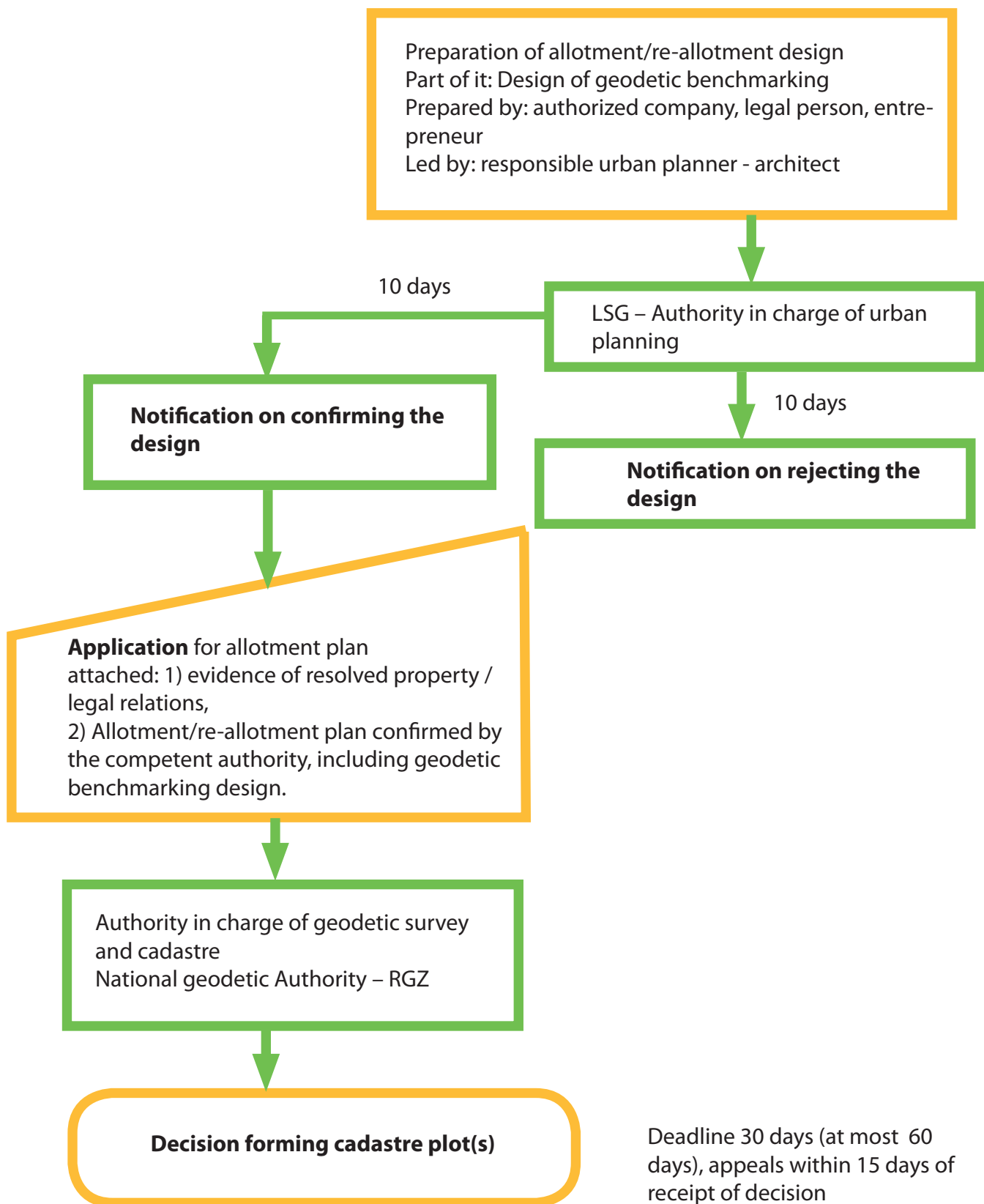
II-3 Allotment/re-allotment plan

- Allotment/re-allotment plan is the process of forming the construction plot adequate for the biomass/biogas facility, of smaller or larger area than the one foreseen in the planning document for that zone can be formed, provided the existence of the access to the structure, or equipment, enabling maintenance and elimination of defects or access in case of average/ damage
- **Application for allotment/re-allotment*:**
 - Submitted to the competent authority for geodetic survey and cadaster (RGZ)
 - Precondition: the Design of Geodetic Survey Benchmarking
 - Content of application: application with data on applicant, enclosing: 1) evidence of resolved property-rights relations for all the cadastral lots, and 2) re-allotment or allotment plan verified by the authority in charge of town planning affairs of the unit of local self-government, an integral part of which shall also be the Design of Geodetic Survey Benchmarking.
 - Deadline for decision: 30 days
 - Validity: until amendment
 - Deadline for complaints: 15 days – to be files in accordance with the law and the instructions on legal remedies

Note An access easement agreement with the owner of the servient estate shall also be recognized as a resolved access to a public traffic area.

* more details at : www.mgsi.gov.rs

II-3 Implementation of Allotment/re-allotment plan



II-3 Conditions for connection

- Conditions for connection define the possibility of connecting the biomass/biogas facility to the energy system, defining the energy-related and technical conditions for the preparation of concept design, and design for construction permit and final design, as well as technical and operational standards which need to be fulfilled by the operator of the transmission/distribution system and by facilities of the user who is being connected to the transmission/distribution system
- **Application:**
 - Filed to: operator of the energy system/network to whose system the biomass/biogas facility is to be connected, using the prescribed form.
 - Content of application: determined by system operator.
 - Deadline for issuance:

Transmission system: 90 days of the date of advance payment to the account of the transmission system operator for preparation of Study fo Connection of the facility to the transmission system, based on Contract for Study of Connection.

Distribution system and district heating system: 30 days of application.

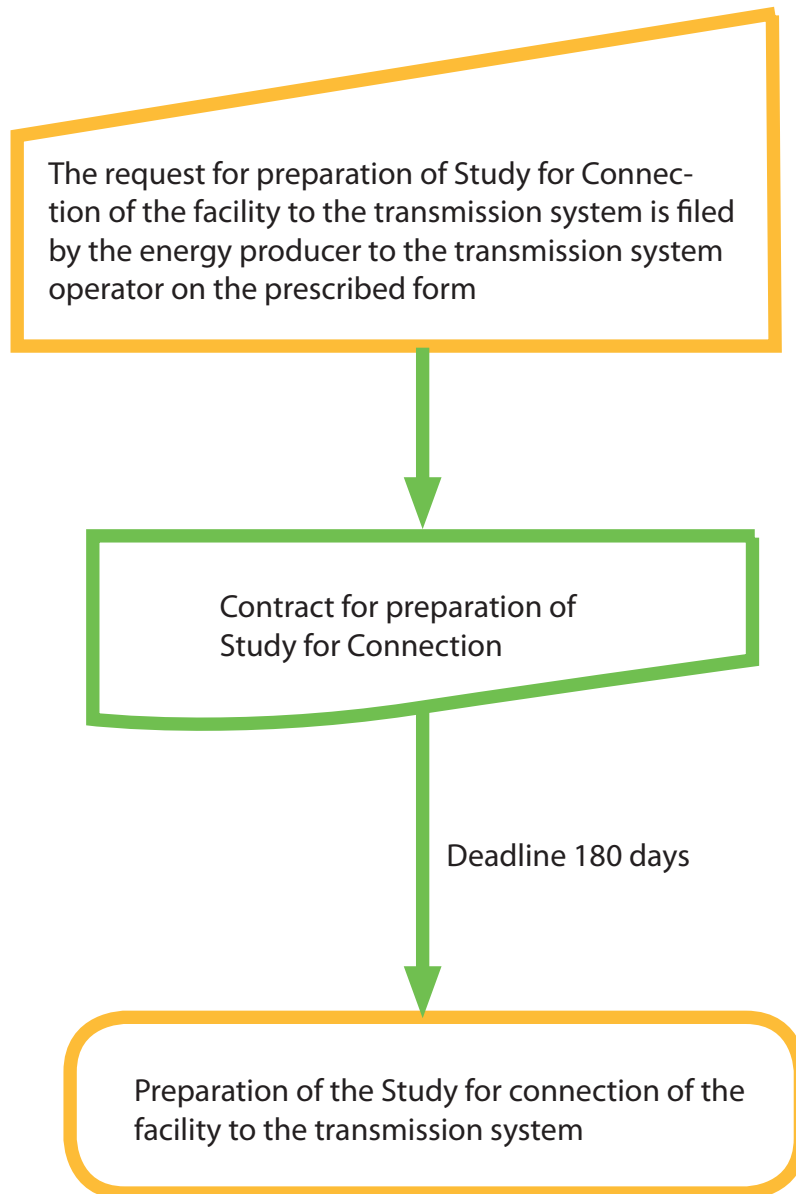
- Validity: stated in the issued act.
- Deadline for appeal: no possibility of appeal.

Notes:

- 1) The energy system operator is issuing the requirements for connection against remuneration for actual costs.
- 2) conditions for connection for energy generating facilities are not obtained under the integrated procedure as determined by the Law on Planning and COstruction. Yet, if there is need for connection of the energy facility as a buyer to the (distribution) energy system, in such a case the obtaining of the conditions for connection is done within the integrated procedure.

*this covers conditions for connection to the energy network, whose application is recommended for the acquiring of conditions for connections to the energy network for district heating

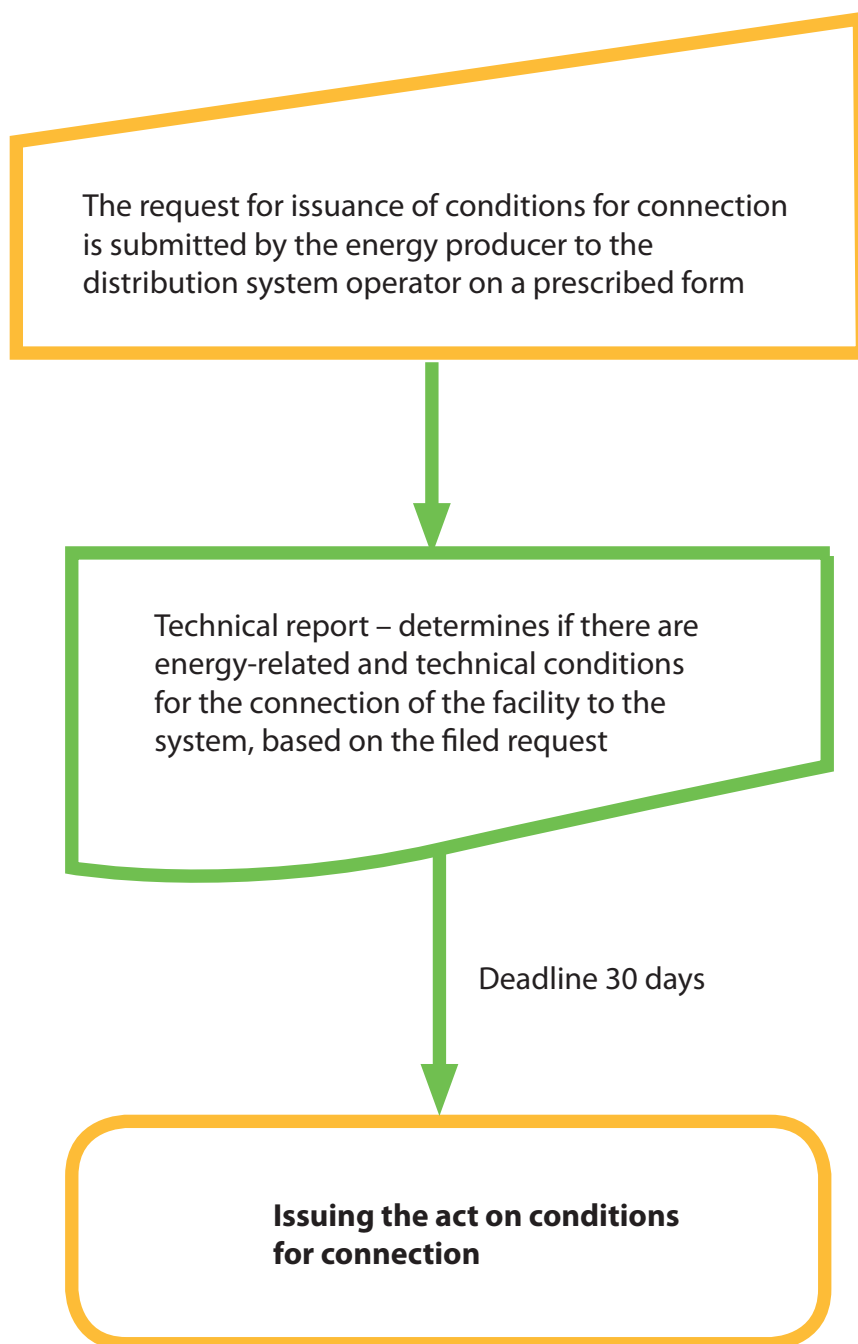
II-3 Conditions for connection to the transmission system



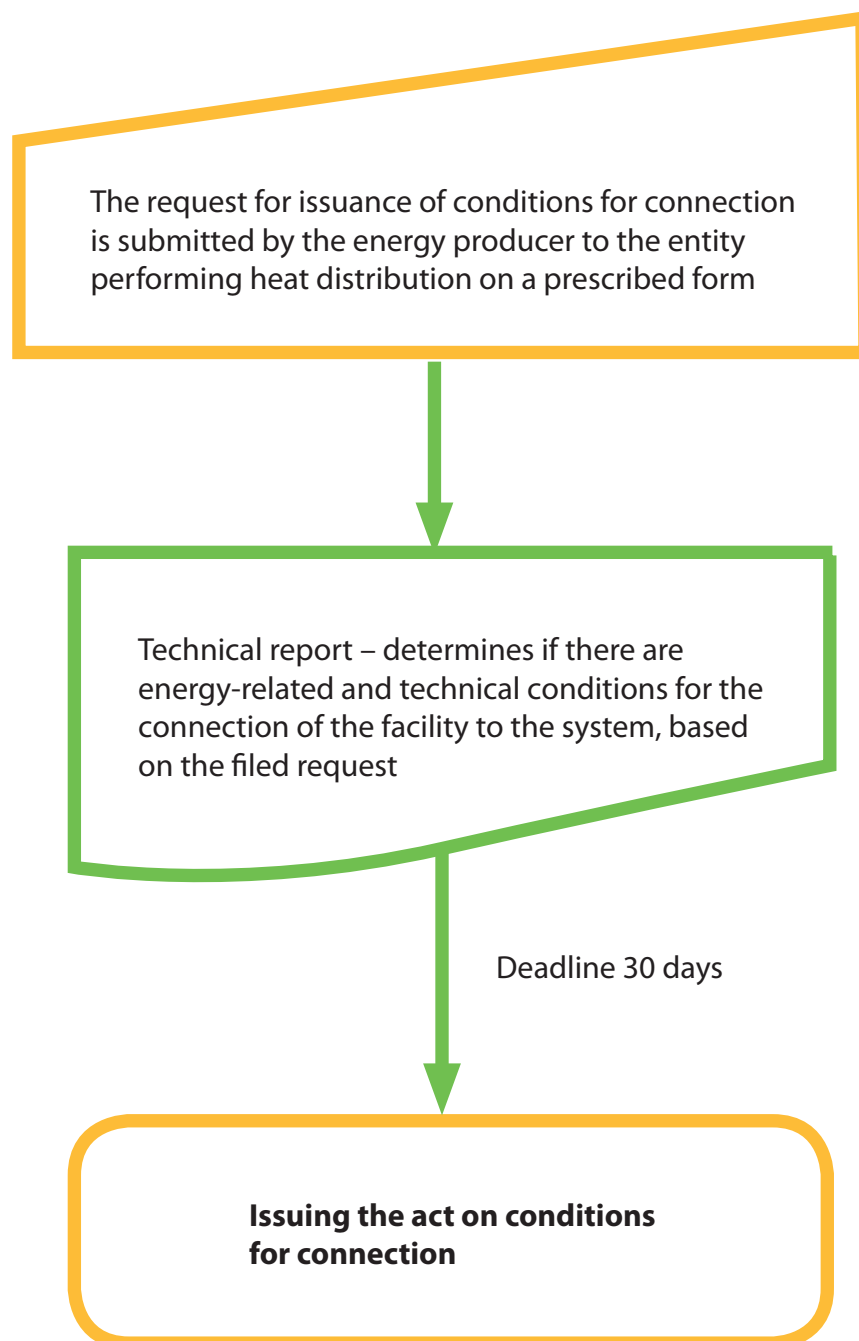
A part of the study which is developed for all power generators contains, among other things, the following: 1) technical requirements for the development of planning and urban planning documentation; 2) opinion of the transmission system operator on conditions and possibility of connection to the transmission system, and 3) terms of reference for the connection to the transmission system. The deadline for the development of this part of the Study is 90 days after the advance payment being made for the development of the Study to the account of the transmission system operator.*

*Procedure for connection of facility to the transmission system, 23 December 2015

II-3 Conditions for connection to the distribution system



II-3 Conditions for connection to the district heating system



II-4 Construction permit

- Construction permit is an administrative act, and a pre-requisite to begin construction.
It is a pre-requisite for acquiring the status of temporary privileged electricity producer.
After obtaining the construction permit, the application can be filed for obtaining the permit for connection to the energy network
- **Application for construction permit*:**
 - Filed to the competent authority within the integrated procedure:
 - 1) Ministry of construction or the competent authority of the AP if the biomass/biogas facility is located in the territory of the AP for facilities of capacity 10 MW and more and facilities irrespective of capacity fulfilling other conditions from Article 133 of the Law on Planning and Construction, or
 - 2) Authorities of the LSG in whose territory the facility is to be constructed, except for facilities stated in Article 133 of the Law on Planning and Construction
 - Pre-requisites: 1) preparation of the Environmental Impact Assessment Study, 2) obtaining of the integrated permit for facilities, 3) preparation of the technical documentation which has undergone technical control
 - Content of application: filled in form with attachments
 - Deadline to decide on the application: 5 working days of obtaining all necessary conditions for the issuing of location permit
 - Validity: 2 years, if construction does not start/5 years, if the operation permit is not obtained if the construction permit was issued by the ministry in charge of construction – can be extended according to the law
 - Deadline for appeals: 8 days – filed to the Government/Ministry of construction, the competent authority of the AP, the authority of the City of Belgrade

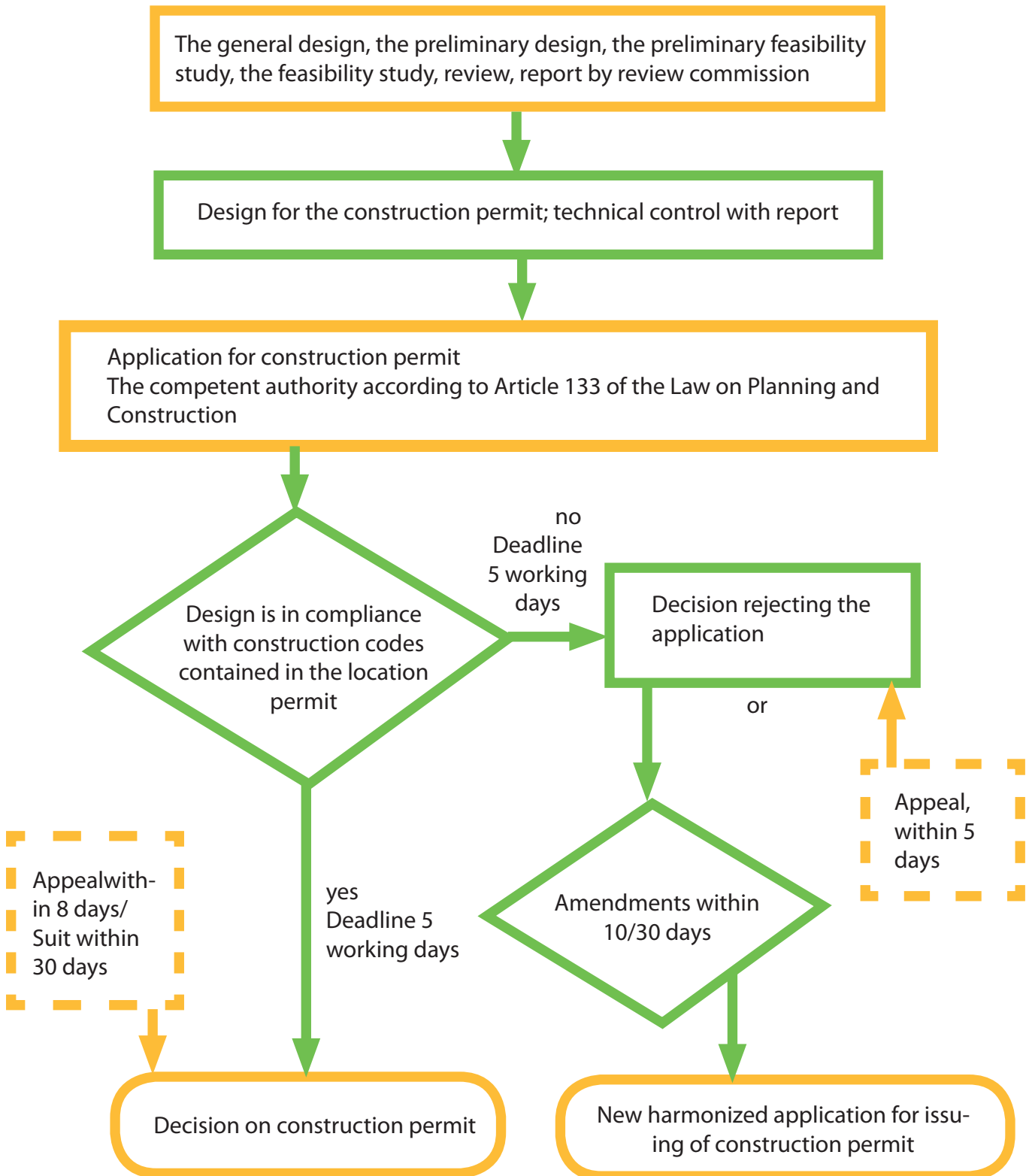
* more details at: www.mgsi.gov.rs

- **Content of application*:**

- 1) first and family name of investor, or the company name or name of investor including the tax ID number, the registered seat and address; 2) data on structure for which construction or extension is the subject of the permit (intended use of structure: residential, commercial, industrial, energy, transport, the dimensions, the volume, the total surface area and extended area, cost estimates, etc.); 3) the designation of location on which construction or extension is permitted (designation of cadastre lot with address of the structure); 4) list of attachments. In case when the structure is constructed by parts which are technical or functional units, the application shall contain data on planned stages of construction and the final deadline for completion.
- **Attachments to the application:** 1) the excerpt from the design for the construction permit, prepared in accordance with the rulebook regulating the contents of technical documentation; 2) the design for the construction permit, in electronic form, and as many hard copies as the applicant desires to have verified and returned when issuing the construction permit evidence of paid administrative tax for the filing of the application and issuing the decision on construction permit; 4) the energy permit for construction of biomass/biogas plant of capacity 1 MW and more; 5) evidence of adequate rights on the land or structure according to the Law on Planning and Construction; 6) contract between investor and financier, if any; 7) contract between the investor and the holder of public powers, or other evidence of ensuring the necessary infrastructure, if that is a requirements for the issuing of the construction permit stated in the location permit; 8) report by the review commission, for structures for which the construction permit is issued by the ministry or the competent authority of the autonomous province 9) the energy permit, issued in accordance with the special law for construction of energy facilities requiring the energy permit; 10) consent of other co-owners, certified according to the law, if construction or works are performed on construction land or a structure which is co-owned by several persons; 11) requirements for design and connection of the structure to the electricity distribution and transmission system or transport of natural gas, obtained in accordance with the law regulating the energy sector, which are not contained in the location permit. For structures for which the regulations prescribe payment of contributions for arrangements of the construction land, the application shall include as its integral part of the application from para 1 of this article shall be the statement by applicant on the method of payment of contributions for arrangement of construction land, and instruments of security in case of payment by installments, for structures whose gross developed construction surface exceeds 200 m² and which contain two or more housing units.

*more details at: www.mgsi.gov.rs

II-4 Obtaining the Construction Permit



II-4 Environmental Impact Assessment Study

- The Environmental Impact Assessment for biomass/biogas plants is made depending on the plant capacity, as it is directly proportional to the environmental impacts of the plant.
- The Environmental Impact Assessment Study for biomass/biogas plants: 1) is not required if the plant capacity is below 1 MW, 2) the preparation of the study can be requested if the plant capacity is 1-50 MW, 3) and it is mandatory for plants of capacity exceeding 50 MW.
- **The application for the preparation of EIA study:**
 - 1) The request regarding the need to undertake assessment *
 - 2) The request to determine the scope and contents of the EIA*
 - 3) The request for consent on the EIA Study*
 - It is filed to the competent authority within the integrated procedure:
 - 1) The ministry in charge of the environment, or the competent authority of the AP if the biomass/biogas plant is located in the territory of the AP for plants of capacity 10 MW and more, and if the plants irrespective of their capacity meet the requirements from Article 133 of the Law on planning and Construction.
 - 2) Competent bodies of the unit of LSG in whose territory the desired location of the plant is located, if it is not plants from Article 133 of the Law on Planning and Construction

* more details at : www.mpzss.gov.rs

- **Request regarding the need to undertake the EIA study*:**

- Content of application:

1) data on the project leader; 2) description of the location; 3) description of the characteristics of the project; 4) presentation of the main alternatives that have been analyzed; 5) description of the environmental factors that may be exposed to the impact; 6) description of possible major harmful impacts of the project on the environment; 7) description of the measures envisaged for the purpose of prevention, mitigation, and elimination of major harmful impacts; 8) other data and information at the request of the competent authority

The application should attach: 1) information on location or the verified urban development design (issued within a period of maximum one year); 2) concept design or the preliminary design, or the excerpt from the preliminary design; 3) graphical presentation of the micro- and macro-location; 4) requirements and approvals of other competent authorities and organizations obtained in compliance with a special law; 5) evidence of payment of the republic administrative fees and duties; 6) other evidence at the request of the competent authority.

- Deadline to decide on the application: 10 days to inform the public + 10 days to collect information + 10 days to decide on the application + 3 days to serve the decision
- Deadline for appeals: 15 days – to be filed by the investor/the public to the Government/Ministry in charge of environment
- Deadline to decide on the appeal: 30 days

* more details at : www.mpzss.gov.rs

- **Request to decide on the scope and content of the EIA:**

- Content of request:

1) data on the project owner, 1a) description of the location, 2) description of the project, 3) presentation of the main alternatives that have been analyzed, 4) description of the environmental factors that may be exposed to the impact, 5) description of possible major harmful impacts, 6) description of measures envisaged for the purpose of prevention, mitigation, and elimination of major harmful impacts, 7) non-technical summary of data from 2) to 6), 8) data on possible difficulties encountered by the project owner in collecting the data and documentation, 9) other data and information at the request of the competent authority.

The request should attach: 1) excerpt from the urban development plan or verified urban development design, or the decision on urban development requirements issued within a period of maximum one year, 2) preliminary design, or the excerpt from the preliminary design, 3) graphical presentation of the macro- and micro-location, 4) requirements and approvals of other competent authorities and organizations obtained in compliance with a special law, 5) evidence of payment of the republic administrative fees and duties, and 6) other evidence at the request of the competent authority.

- Pre-requirement: identified need (by law or decision of competent authority) to undertake EIA
- Deadline to decide on the request: 10 days to inform the public + 15 days to collect information + 10 days to decide on the application + 3 days to serve the decision
- Validity: one year
- Deadline for appeals: 15 days – to be filed by the investor/the public to the Government/Ministry in charge of environment
- Deadline to decide on the appeal: 30 days

* more details at : www.mpzss.gov.rs

- **Request for consent on the EI Study:**

- Content of request:

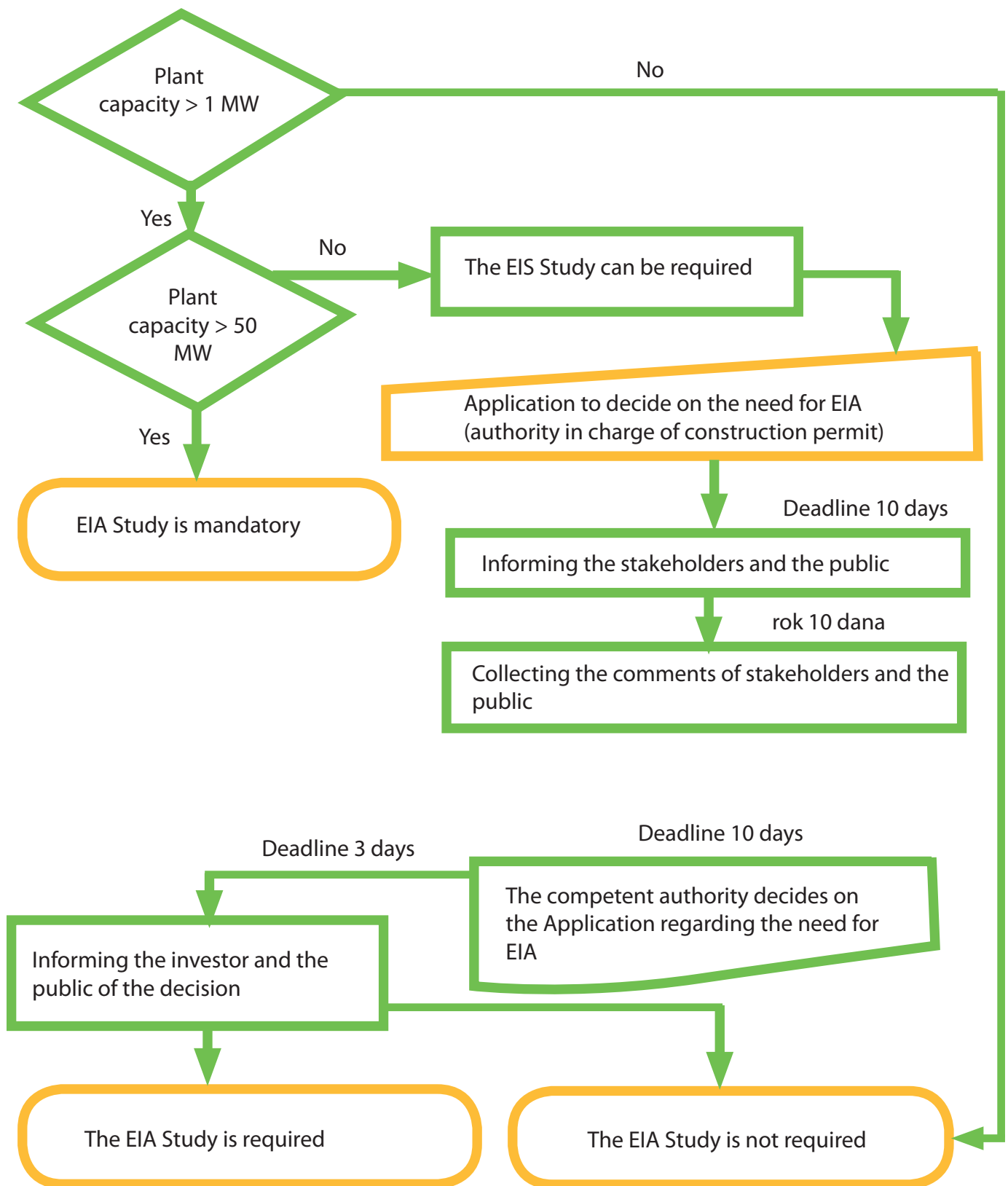
- 1) The Environmental impact Assessment Study for the biomass/biogas uplant attaching the obtained conditions and consents or other competent bodies and organizations

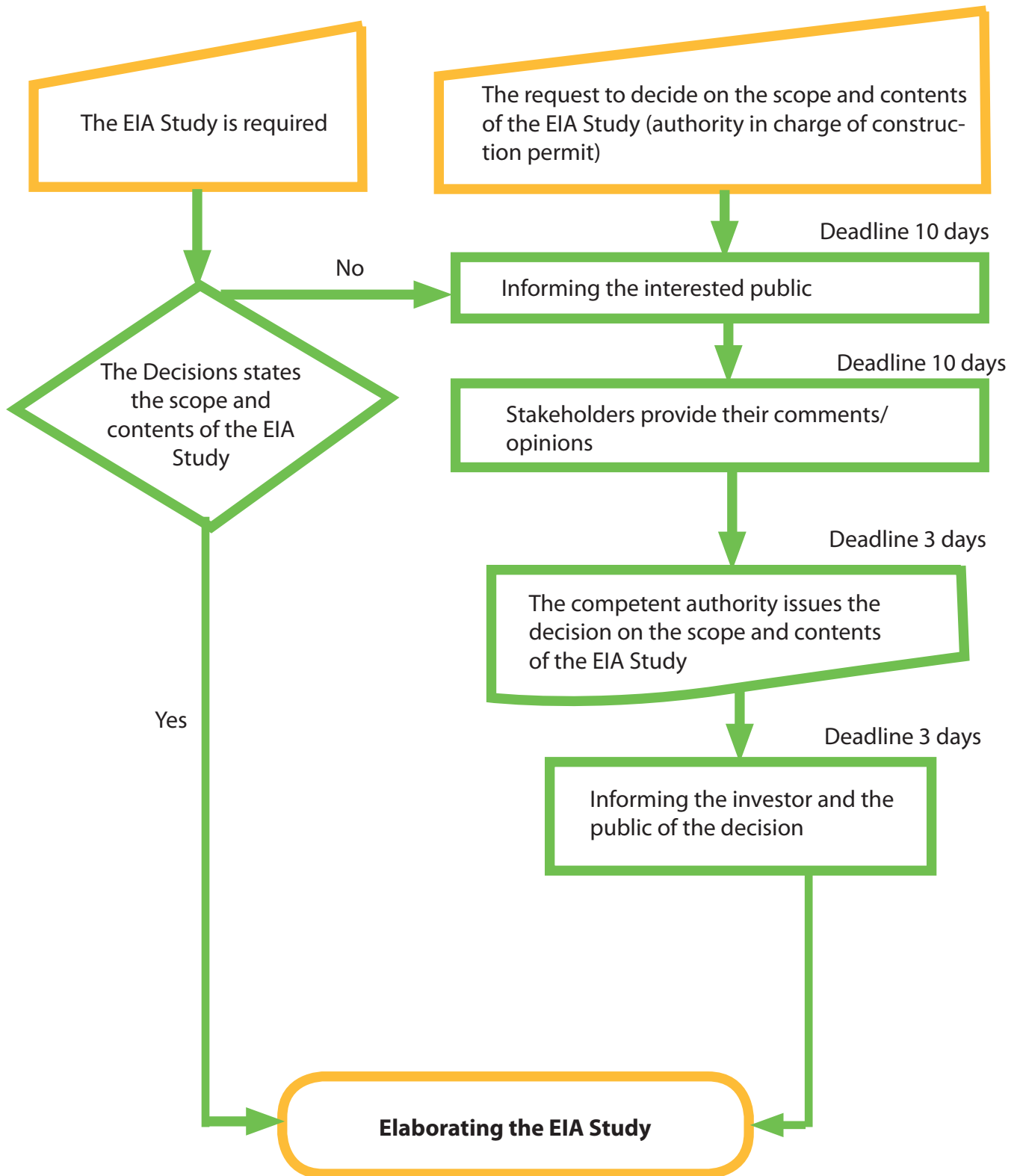
Attachments to the request: 1) decision by competent authority determining the need to carry out an EIA study (if such a procedure was carried out); 2) decision by the competent authority on the scope and content of the EIA study

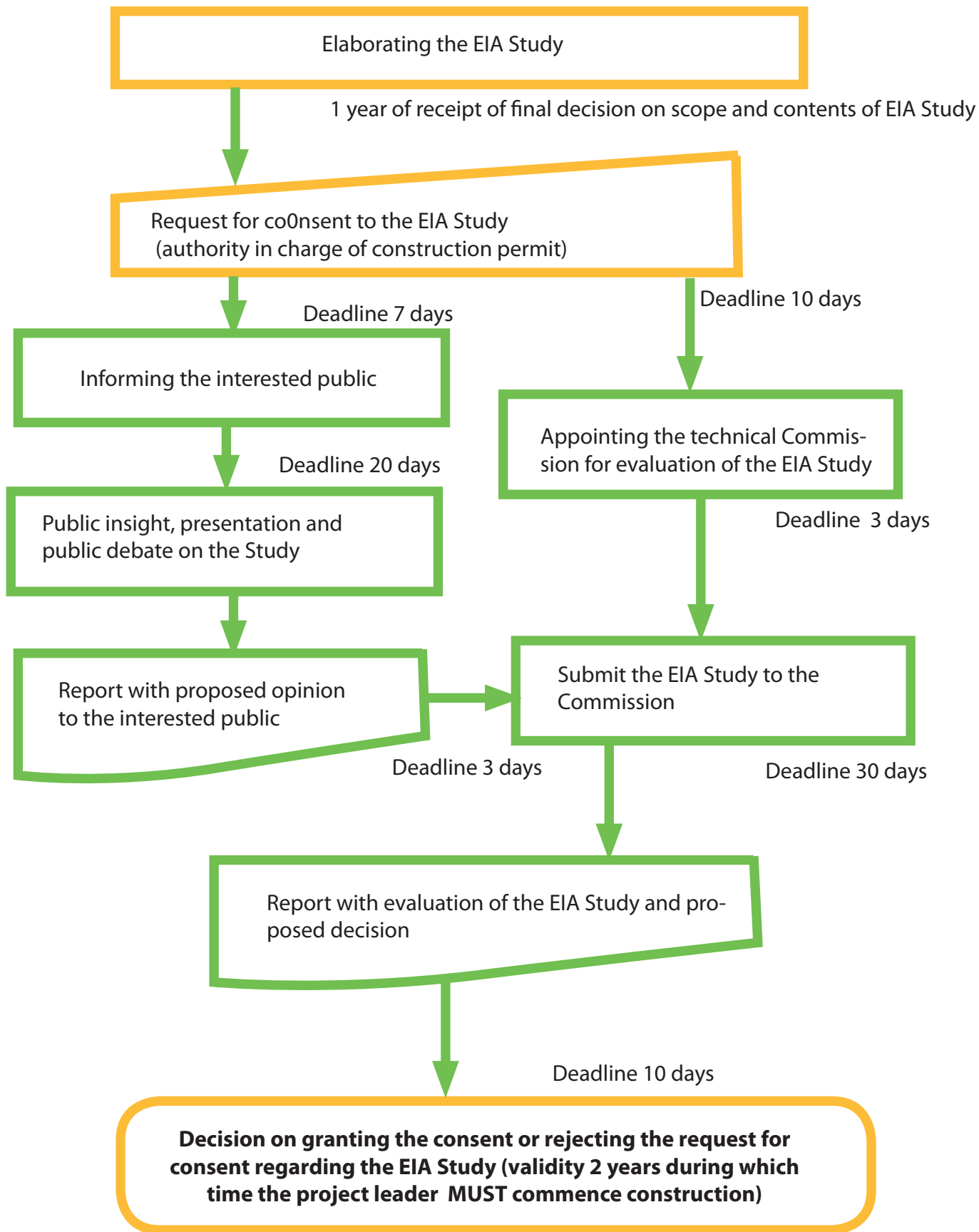
- Pre-requirements: 1) decision by the competent authority on the scope and content of the EIA study, 2) that no more than one year has expired since the enforceability of decision determining the scope and content of the EIA study
- Deadline to decide on the request: 7 days to inform the public on the time and place of public debate on the study at least 20 days to implement the public debate + 3 days to submit the Report of the review of opinions of stakeholders during the public debate to the Commission for evaluation of the EIA study + 30 days to submit the decision to the Commission including a proposed decision to the competent authority + 10 days to submit the decision of consent for the EIA study and reject the requests of stakeholders
- Validity: 2 years – the investor is obliged to start constructing the biomass/biogas plant
- Deadline for appeals: 15 days – to be filed by the investor/the public to the Government/Ministry in charge of environment
- Deadline to decide on the appeal: 30 days

* more details at : www.mpzss.gov.rs

II-4 Environmental Impact Assessment







II-4 Integrated Permit

- The integrated permit is regulated by the Law on Integrated Pollution Prevention and Control. The integrated permit is required only for such biomass/biogas plants with heat input exceeding 50 MW
- **Application for integrated permit*:**
 - 1) Submitted to the competent authority within the integrated procedure
 - 1) Ministry in charge of environment, or the competent authority of the autonomous province if the biomass/biogas plant is located in the territory of the AP for plants of capacity 10 MW and more and if the plant, irrespective of capacity, fulfills other conditions from Article 133 of the Law on Planning and Construction
 - 2) The authority of the unit of local self-government in whose territory the plant is to be located, if it refers to plants stated in Article 133 of the Law on Planning and Construction
 - Content of application: filled in Form 1 with appendices
 - Deadline to decide on application: 120 days (exceptionally 240 days) since the date of receipt of compliant application, within which period the public debate is carried out (interested authorities and organization and evaluation of the technical commission)
 - Validity: to be stated in the permit
 - Appeals deadline: no appeals are allowed, it is only possible to initiate an administrative dispute within 30 days

Note: the issued decision is subject to repeated consideration (hereinafter: review) at least two times during its validity. The review procedure is initiated by the competent authority ex officio or at the request of the operator, the Rulebook on content and form of integrated permit („The Official Gazette RS“ Nr. 30/06).

*more details at: www.mpzss.gov.rs

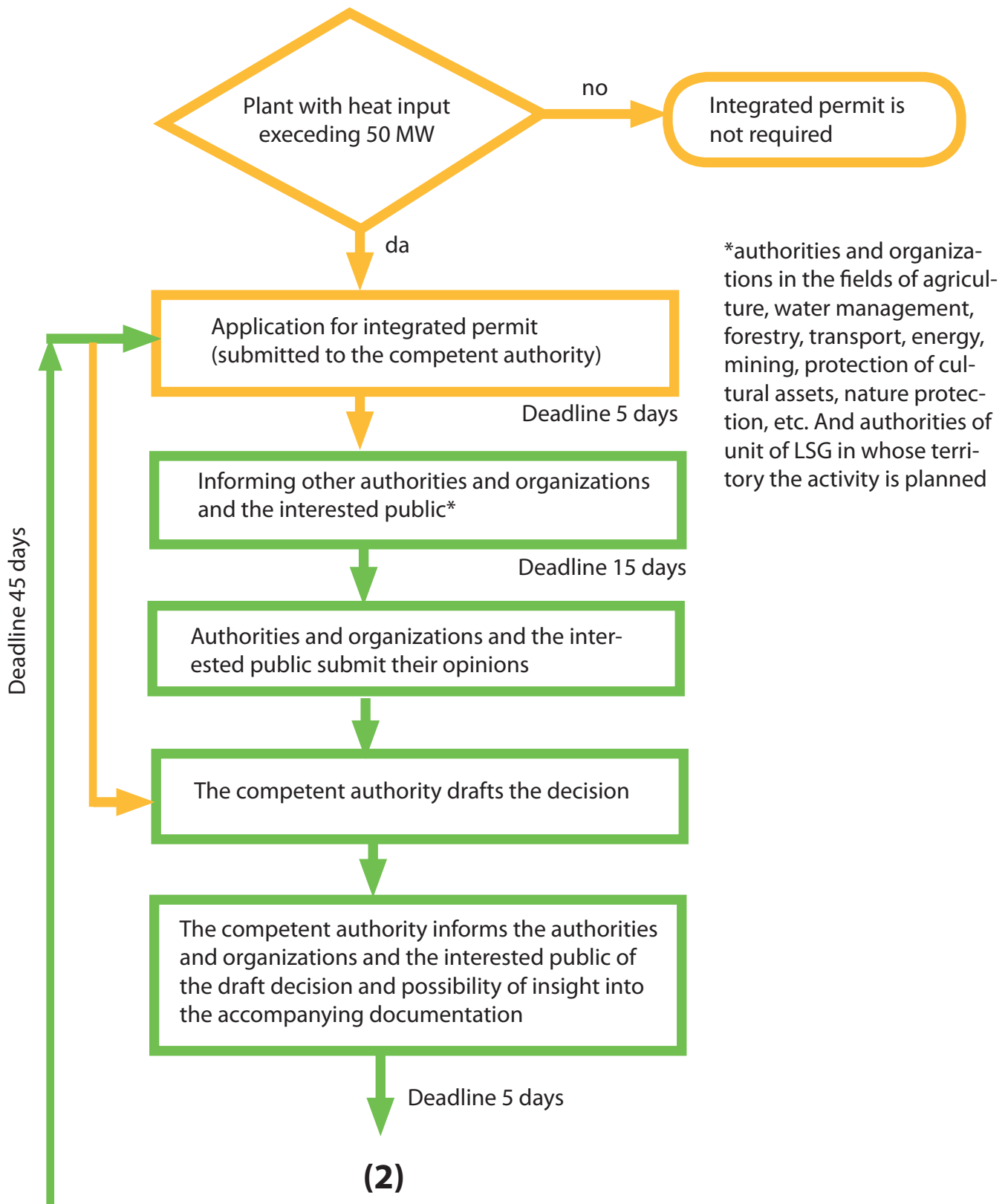
Content of application*:

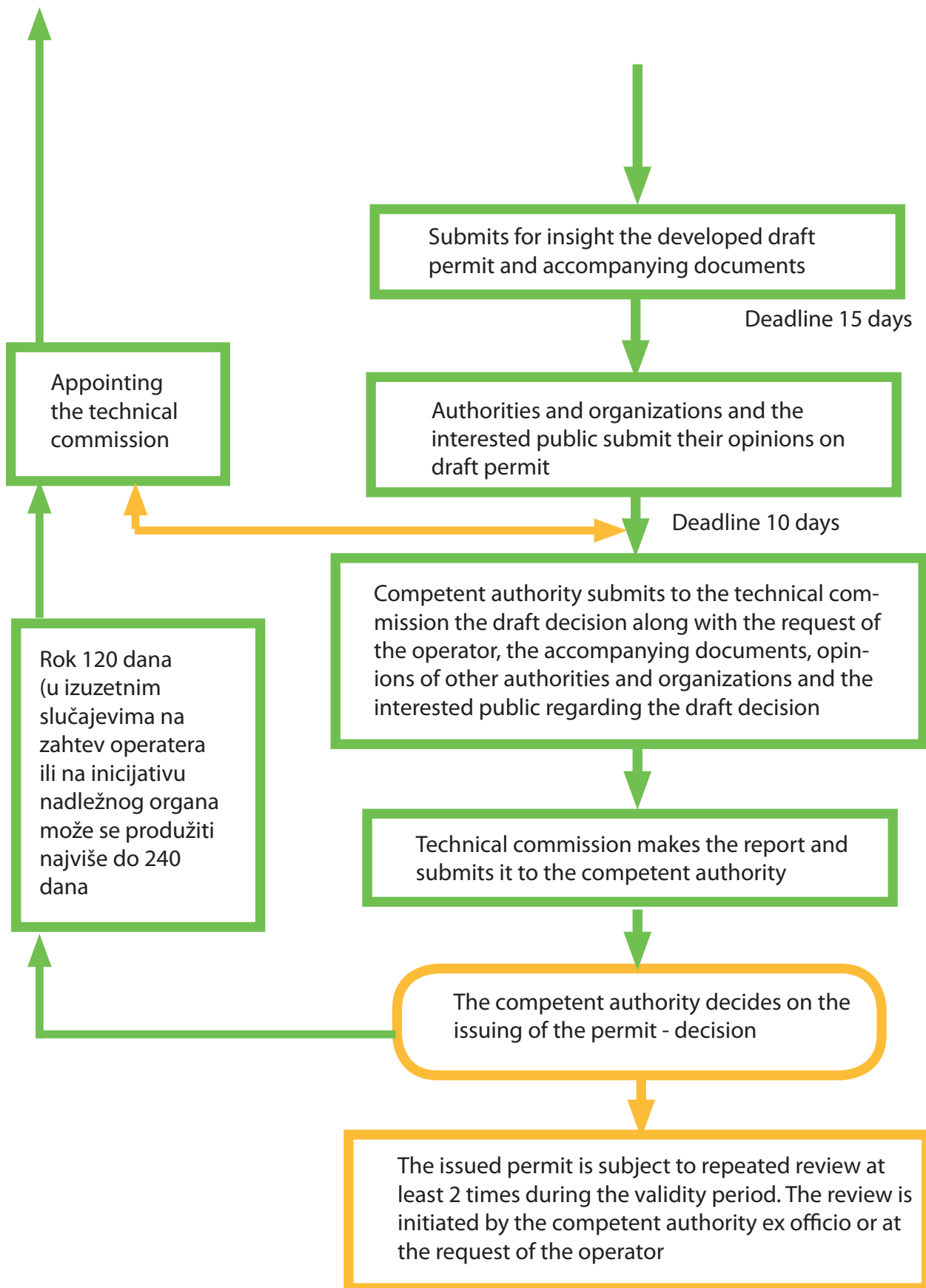
- I. General data on: 1) the application, 2) the operator (physical or legal person managing the plant – in whose name the permit is issued), 3) the plant and its surroundings, 4) type of industrial activity, 5) staff and investment costs; II. Summary data on activities and issued permits: 1) brief description of activity for which the integrated permit is applied for, 2) data on plan and design documents for the plant (permits, approvals, consents), 3) brief description of key environmental impacts; III. Detailed data on the plant, processes, and procedures: 1) location, 2) environmental protection management, 3) use of best available techniques, 4) utilization of resources, 5) air emissions, 6) emissions of harmful substances into water, 7) soil and ground water protection, 8) waste management, 9) noise and vibrations, 10) accident risk assessment, 11) measures for unstable (transitory) plant operation, 12) definite end of operation of the plant or parts thereof, 13) non-technical presentation of data on which the application is based.
- **Attachments to the application:** 1) design of the planned, or constructed plant; 2) report on the last technical inspection; 3) plan of conducting monitoring; 4) results of measurements of pollution of elements of the environment or other parameters during the trial run; 5) waste management plan; 6) Plan of measures for efficient utilization of energy; 7) plan of measures for prevention of accidents and mitigation of their consequences; 8) plan of measures for environment protection after termination of operation and closing of the plant; 9) decision on the right to use natural resources; 10) statement confirming that the information contained in the application are true, accurate, complete, and available to the public; 11) evidence of the paid administrative duty; as well as 12) approval of the environmental impact assessment study and approval of the assessment of the threat from accidents; 2) 1) tabular summaries (diagrams); 2) Maps and sketches; 3) Copies of issued permits, approvals, and consents and other documents; 4) Action plans III.4 - III.10.

Note : The application for issuing of integrated permit within Form 1 is an integral part of the Rulebook on the contents, form, and manner of filling in the Application for issuing of integrated permit („The Official Gazette RS” Nr. 30/2006)

*more details at: www.mpzss.gov.rs

II-4 Obtaining the Integrated Permit





II-4 Technical documentation, technical control and review of technical documentation

- Construction of facilities is carried out on the basis of the technical documentation. Technical documentation is a set of designs elaborated for the purpose of developing the concept, the elaboration of requirements, the method of construction of structures and the maintenance of the structure, based on location requirements.
- Technical documentation for construction of structures, according to the Law on Planning and Construction, consists of :
 - 1) General design;
 - 2) Concept design;
 - 3) Preliminary design;
 - 4) Design for construction permit
 - 5) Design for performance of works, and
 - 6) As-built design.
- The design for construction permit is subject to technical control. If the design was subject to review according to the Law on Planning and Construction, this control covers also the checking of compliance with measures contained in the report by the review commission. The technical control confirms the compliance of the design with water management requirements (if their issuance was required). Thus it substitutes the water consent.
- The general design and the preliminary design, the preliminary feasibility study and the feasibility study for biomass/biogas plants from Article 133 of the Law on Planning and Construction, shall be subject to review by the review commission, which delivers the review report.

*more details at: www.mgsi.gov.rs

II-4 General design and preliminary design

- **General design** shall contain especially data on: 1) the macro-location of the structure; 2) the general layout of the structure; 3) technical-technological concept of the structure; 4) method of providing infrastructure; 5) possible variants of spatial and technical solutions in terms of fitting into the space, natural conditions; 6) environmental impact assessment; 7) engineering, geological, and geo-technical characteristics of the terrain from the aspect of establishing the general concept and justifiability of construction of the structure; 8) exploratory works for preparation of the preliminary design; 9) protection of natural and immovable cultural assets; 10) functionality and rationality of the design. The general design is part of the preliminary feasibility study.
- **Preliminary design** 1) name, type, and intended use of the structure; 2) whether the structure is to be connected to public water supply and sewerage systems; 3) description of the method for water intake with planned water volumes, if the water is taken from surface or ground water sources; 4) description of the method of discharging waste waters, if the structure discharges waste water into surface or ground waters; 5) description of the technological process including effluent quality and quantity assessment; 6) description of planned works for protection of water courses and prevention of harmful effects of water, protection and utilization of water and prevention of water pollution; 7) data on quality of intake water (water testing results), in cases when water is taken from surface or ground waters and information about water supply (water course, canal, well or public water supply system) and the location of water intake. If there are no technical possibilities for water supply from public water supply systems or if it is necessary for the purposes of plant operation to construct a well, in such a case state its intended use (ex. for fire-fighting purposes, for irrigation, fisheries, etc.), the necessary quantity of water from the well, and the like; 8) information on method of water collection and treatment (primary, secondary treatment) and discharge of all waste water from the plant location (technological water, sanitary/fecal water, precipitation) and information regarding the recipient of discharge water (water course, lagoon, septic tank, public sewerage network, etc.), type and method of waste disposal which can impact the water regime (quantity and quality). The concept design shall contain data on: 1) plant capacity; 2) description of production process; 3) type and quantity of raw materials used; 4) type of technological process and final product; 5) data on other structures (works) which may impact the water structures and the water regime (quantity and quality of ground and surface water). It is also necessary to provide the following graphic attachments: 1) a general drawing; 2) layout of all existing and planned structures (with legend), with accompanying infrastructure (especially water supply and sewerage) or structures and infrastructure which is the subject of the application and which is located in the zone of the water structures and water courses (water intakes, inflowing and outflowing structures, TT and fiber optic cables, electric mains, etc.) of appropriate scale on cadaster basis etc.

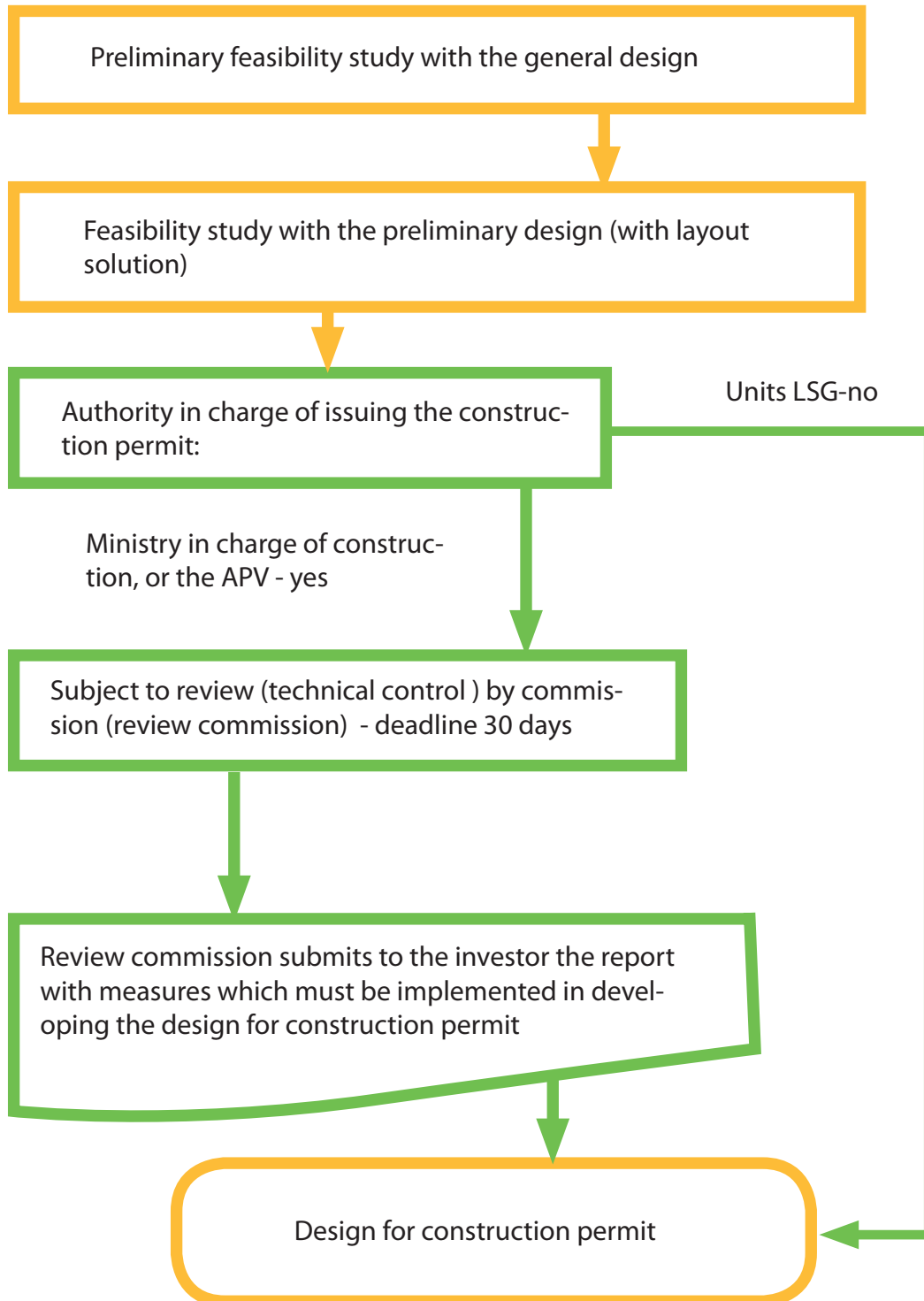
*more details at: www.mgsi.gov.rs

II-4 Preliminary design, design for construction permit, design for performance of works, as-built design

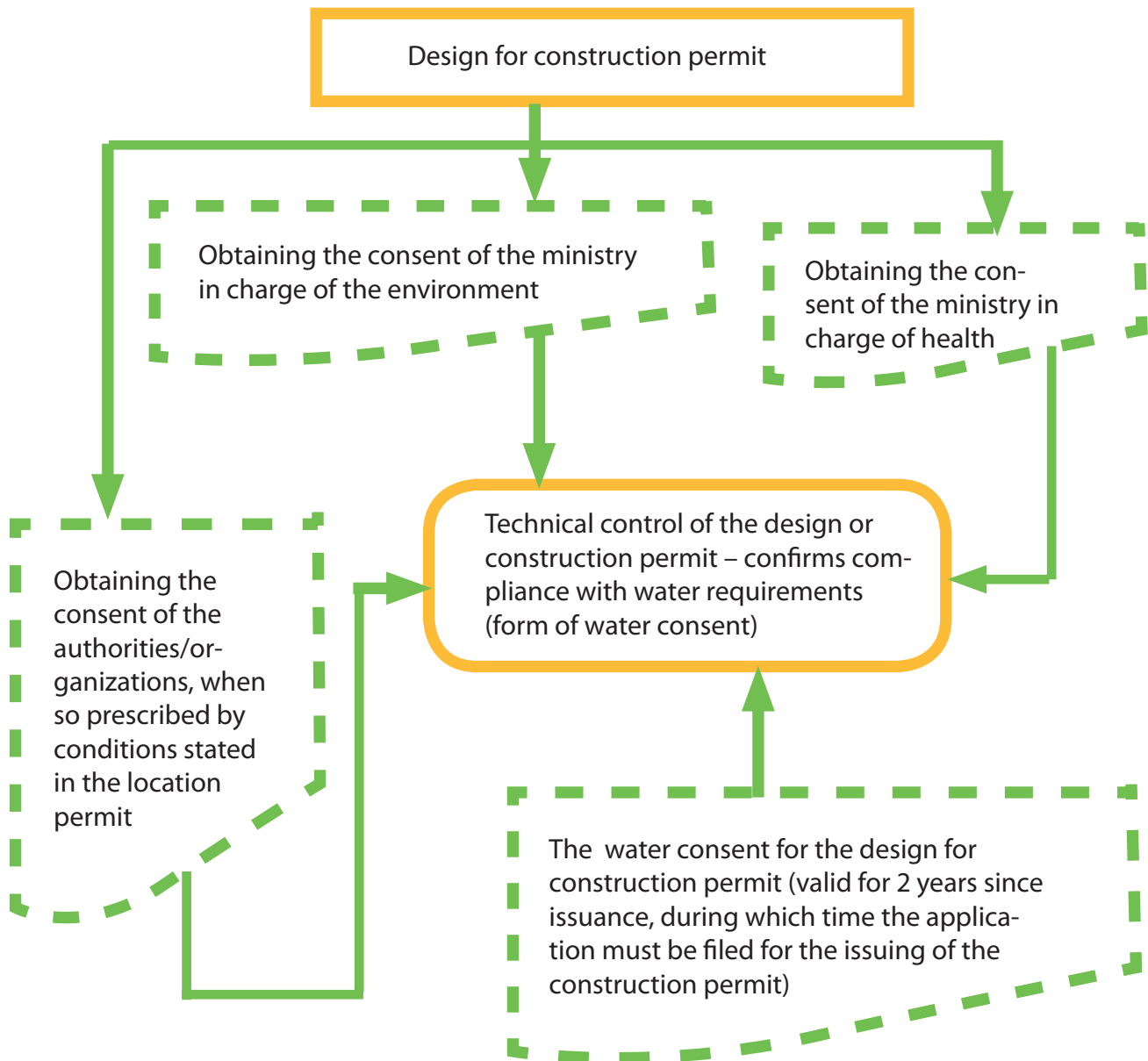
- **Preliminary design** is prepared for the purpose of constructing the biomass/biogas plant if the construction permit for it is to be issued by the ministry in charge of construction, or the competent authority of the autonomous province and it is subject to technical control by a review commission. The preliminary design determines the following: purpose, location, shape, capacity, technical-technological and functional characteristics of the plant, organizational elements and appearance of the plant. The preliminary design is an integral part of the Feasibility Study.
- **Design for construction permit** is developed in order to acquire the construction permit. The design for the construction permit shall contain the statement by the chief designer, the responsible designer and the person in charge of technical control confirming that the design is prepared in compliance with the location requirements, the applicable regulations, and the professional rules. Additionally, the design for the construction permit shall contain the fire-fighting and protection study. This study shall be prepared by a person holding the relevant license issued in compliance with the regulations on fire fighting and protection
- **Design for performance** of works shall be prepared for the purposes of performing the construction works. The design for the performance of works is a set of designs harmonized among themselves determining the structural-technical, technological and operational characteristics of the facility with equipment and installations, the technical-technological and organizational solutions for the construction of the facility, the investment value of the facility and conditions of plant maintenance. The design for performance of works shall include the statement of the chief designer and statements of the responsible designers confirming that the design has been prepared in compliance with the location requirements, the construction permit, the design for the construction permit, the applicable regulations and professional rules. For structures which, according to the law, require fire fighting and protection consent for the technical documentation, prior to the issuance of the operating permit it is necessary to obtain the consent for the design for performance of works within the integrated procedure.
- **As-built design** is developed for the purposes of obtaining the operating permit, the operation and maintenance of the biomass/biogas plant. The as-built design of the constructed plant is the design for performance of works with the amendments occurring in the course of construction of the structure. In case there have been no deviations from the design for performance of works in the course of construction of the structure, the investor, the person who has exercised the supervision, and the contractor shall corroborate and certify, on the design for construction permit, that the as-built state is equal to the designed state. The as-built design shall not be subject to technical control, except when it is prepared for the purposes of legalization of the structure.

*more details at: www.mgsi.gov.rs

II-4 Technical documentation for the construction permit



II-4 Technical control of design and water consent



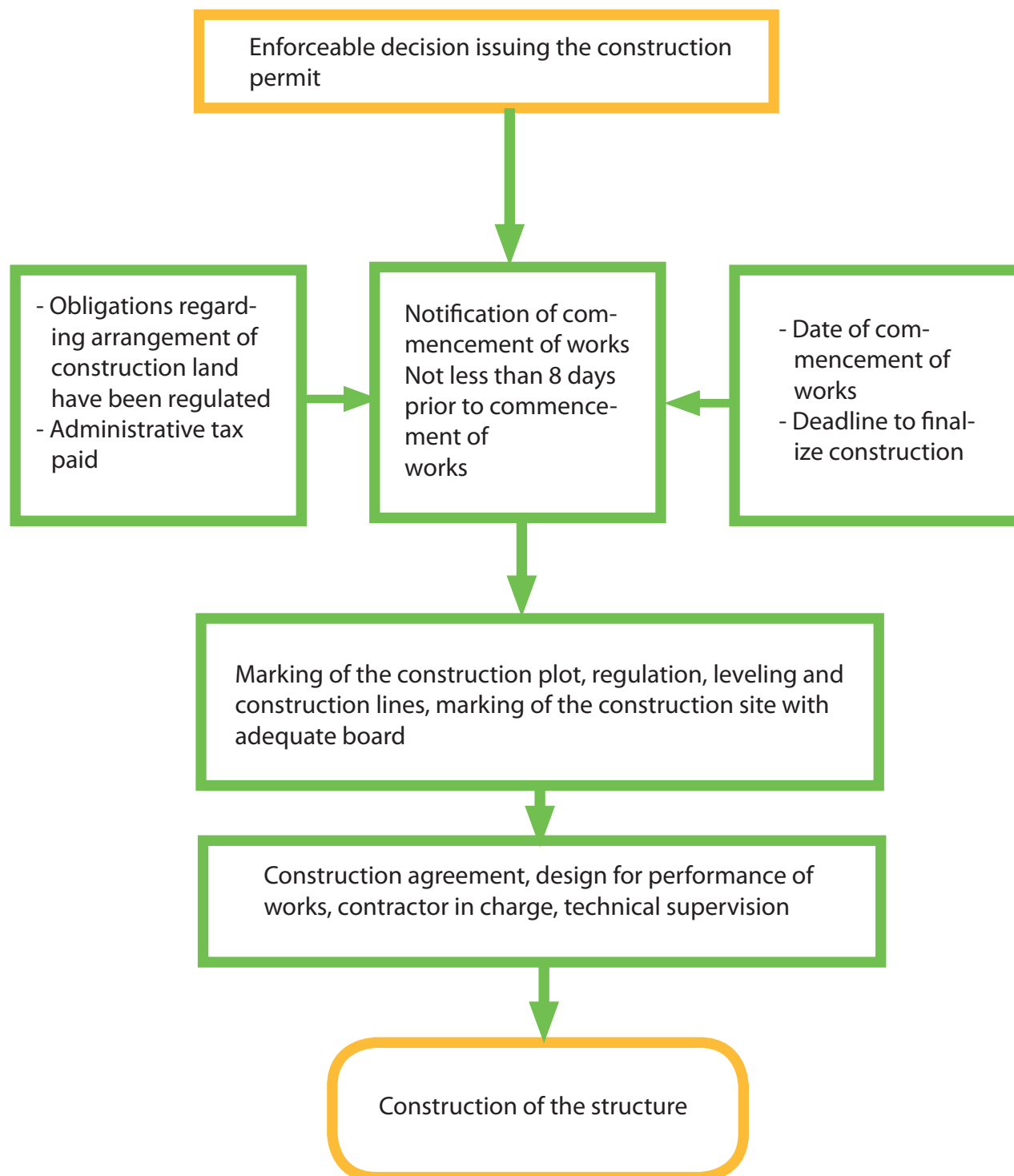
***Note:** the water consent is necessary if the structure affects the water regime, and the investor can obtain it also under the procedure prescribed in the Law on Water, in order to have a confirmation issued by the authority in charge of water regime

II-5 Construction of the plant and operation permit

- After obtaining the construction permit, the necessary action can be taken for the construction of the biomass/biogas plant. The construction of the plant, or the performance of works, shall be done by the contractor – a company inscribed in the relevant registry of companies for construction of structures or for performance of works
- **Prior to commencement of works, the investor shall file the notification of commencement of works:**
 - Competence: authority which issued the construction permit
 - Notification of commencement of works shall include: 1) the application form; 2) evidence regarding fulfillment of obligations regarding contributions for arrangement of construction land, and 3) evidence of paid administrative tax.
 - Significance: the deadline for completion of works shall commence as of the notification. The works cannot commence earlier than 8 days of the filing of the notification of works.
- **The contractor is obliged:** 1) prior to commencement of works to sign the designs for the performance of works, 2) to issue a decision appointing the contractor-in-charge at the construction site, 3) ensure for the contractor-in-charge the construction contract and the documentation based on which the structure is to be constructed, 4) ensure preventive measures for health and safety at work in compliance with the law, 5) perform the works in compliance with the documentation based on which the construction permit is issued, 6) organize the construction site in a manner ensuring access to the site, safety of the structure and persons in the site and its surroundings; 7) ensure evidence of the quality of performed works; 8) maintain the daily building records, the building log, and ensure the inspection records; 9) to ensure the structures and the environs in case of suspension of works
- **The following shall always be available on the building site:** 1) construction contract, 2) decision appointing the responsible contractor at the site, and 3) design for construction permit / design for performance of works
- **The investor shall ensure technical supervision** during construction (performance of works) for which the construction permit is issued
- **The technical inspection** shall determine the fitness of the biomass/biogas plant for operation. The built structure can be used after obtainign the operation permit.

*more details at: www.mgsi.gov.rs

II-5 Construction of the structure



*više na: www.mgsi.gov.rs

II-5 Operation permit and technical inspection of structure

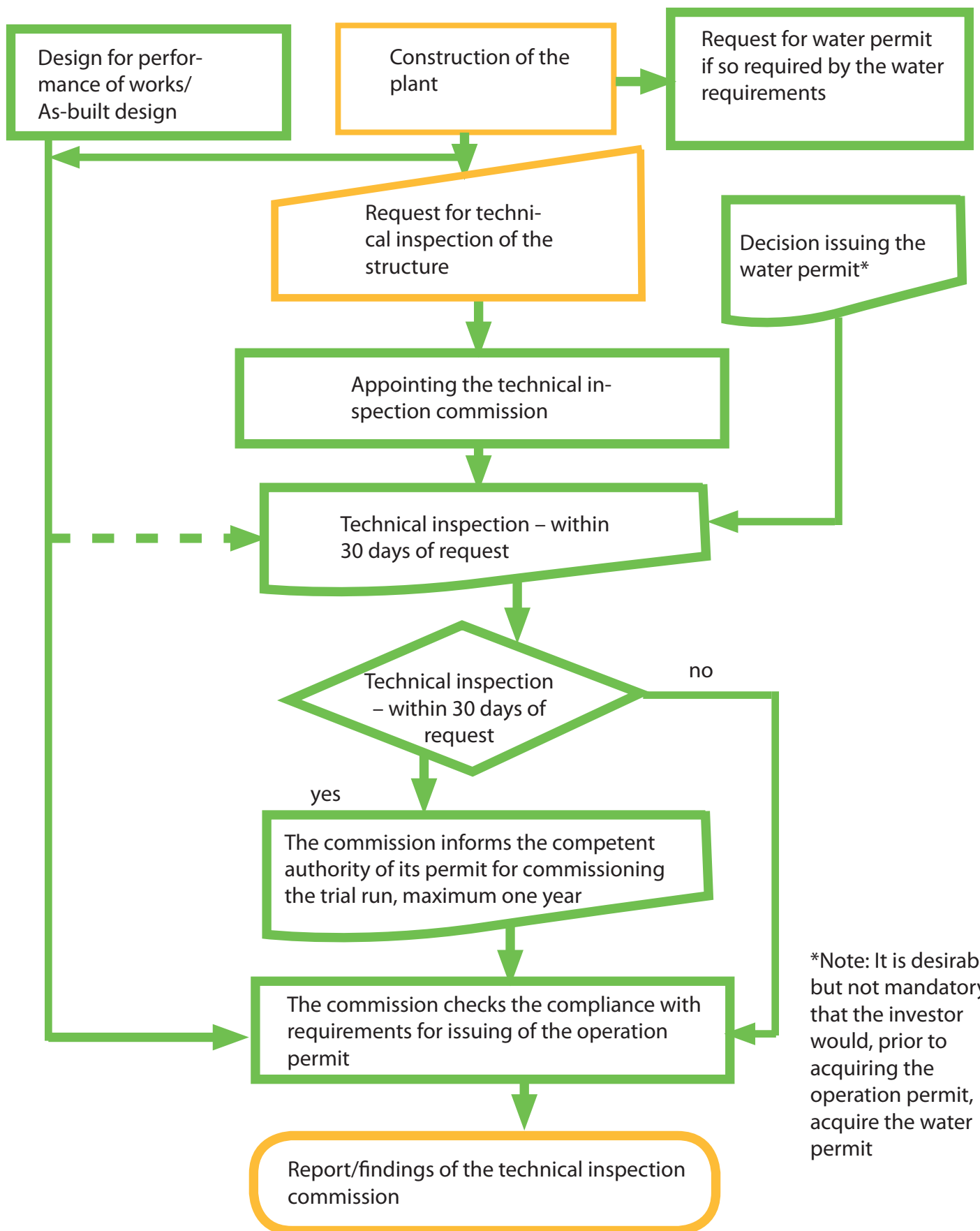
- Operation permit is an administrative act, which is a requirement in order to operate the biomass/biogas plant.
It is a condition for acquiring the status of (privileged) electricity producer.
Operation permit is issued after completed technical inspection by the technical inspection commission which issues a report/findings of the technical inspection. Minutes are recorded during technical inspection. If determined that the positive opinion requires testing of devices and installations of the structure, the commission issues an act for commissioning of the plant in trial run, stating the duration of the trial run (maximum one year)
- **The application for the issuing of the operation permits*:**
 - *Is submitted to the competent authority within the integrated procedure :*
 - 1) The ministry in charge of construction, or the competent authority of the AP if the biomass/biogas plant is to be located in the territory of the AP, for plants of capacity 10 MW or more, and if the plant irrespective of its capacity fulfills other requirements from Article 133 of the Law on Planning and Construction.
 - 2) The competent authority of the unit of local self-government in whose territory the plant is to be constructed, for plants stated in Article 133 of the Law on Planning and Construction
 - Content of application: filled in form with appendices
 - Deadline to decide on the application: 5 working days
 - Deadline for appeals: 1) no appeals allowed against the decision of the ministry/competent authority of AP – administrative dispute allowed (deadline 30 days), 2) other cases: 8 days – filed to the ministry/competent authority of AP

Note:

- 1) It is desirable, but not mandatory, that the investor would, prior to acquiring the operation permit, acquire the water permit, if necessary for the specific structure, and in any case the water consent should be obtained before the operation of the plant
- 2) The operation permit contains the guarantee period for the structure and individual types of works

*more details at: www.mgsi.gov.rs

II-5 Technical inspection



*Note: It is desirable, but not mandatory, that the investor would, prior to acquiring the operation permit, acquire the water permit

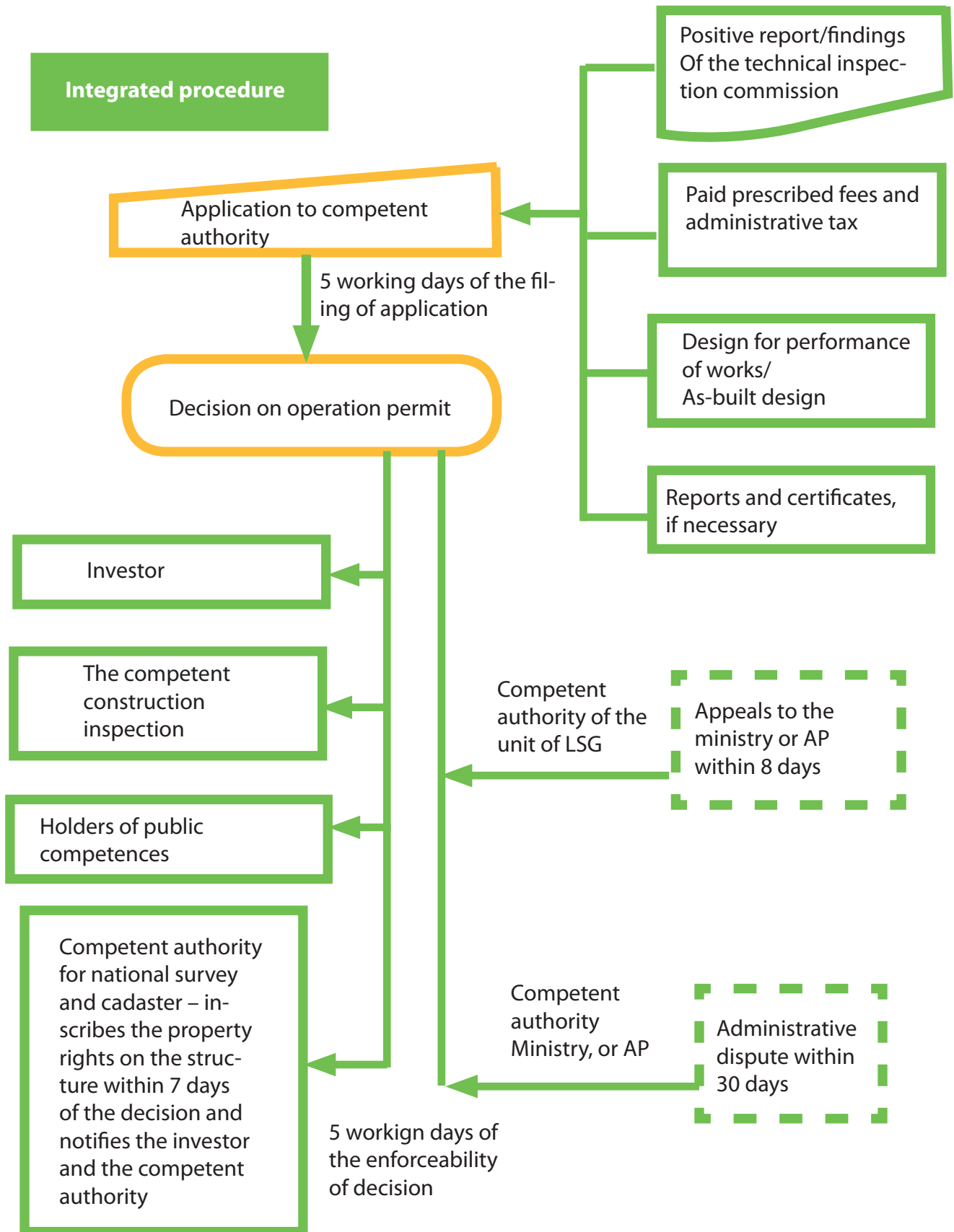
II-5 Operation permit

- **Content of application*:**

- 1) data on location; 2) data on structure for which the operation permit is applied for; 3) data on removed structures from the plot; 4) data in the investor; 5) statement with respect to the operation permit and inscription in public registries; 6) data on applicant of other than investor; 7) list of appendices.
- To the application, the following should be attached: 1) the design for performance of works certified and verified by the investor, the person performing technical supervision and the contractor confirming that the constructed structure is equivalent to the design if during the construction there were no deviations from the design for performance of works, and the as-built design in compliance with the rulebook regulating the content of technical documentation, and excerpt from the design for construction permit; 2) the report of the technical inspection commission, confirming that the structure is fit for use, proposing the issuing of the operation permit; 3) evidence of payment of prescribed taxes or compensations; 4) certificate of energy characteristics of the structure in cases when obtaining of energy certificate is prescribed; 5) evidence of payment of administrative taxes for the issuing of the permit; 6) report on geodetic works for the constructed structure and special parts of the structure; 7) report of geodetic works for underground installations .

*more details at: www.mgsi.gov.rs

II-5 Obtaining the Operation Permit



II-5 Water permit

- The water permit determines the manner, conditions and scope of water utilization, conditions and scope of waste water discharge, storage and discharge of hazardous and other substances which may cause water pollution, and conditions for other works affecting the water regime.
- The water permit cannot be issued without first applying for and obtaining the water consent.
- It is obtained if so required by water requirements
- It is not a condition for operation permit

The application for water permit*:

- Submitted to the competent authority: Ministry in charge of the environment, the competent authority of AP or the City of Belgrade if the biomass/biogas plant is to be constructed in the territory of AP or City of Belgrade
- Content of application: filled in form and appendices
- Deadline for decision two months of the application
- Validity: maximum 15 years, at the latest two months before expiry it should be extended. The water permit expires: with the expiration of its validity period, waiver of right and in case it is not utilized without justified reasons for a period longer than 2 years
- Deadline for appeals: 1) appeals not allowed against decisions of the ministry in charge of the environment – administrative dispute can be initiated (deadline 30 days), 2) other cases: 15 days – filed to the ministry in charge of the environment

Note: It is desirable, but not mandatory, that the investor would, prior to acquiring the operation permit, acquire the water permit, if necessary for the specific structure, and in any case the water consent should be obtained before the operation of the plant

*more details at: www.mgsi.gov.rs and www.mpzss.gov.rs

Content of application – Form O6*:

- 1) data on location; 2) 1. basic data on the applicant; 2) general data (administrative, hydrographic and topographical survey data) on the structure, or works, as well as the place, date, signature, and seal of the applicant. Additionally, this application for an electric power plant for which water requirements or water permit have been issued, shall contain: 1) decision on issuing water approval or water permit; 2) report of a public water management enterprise on fulfillment of requirements from water requirements and water approval for issuing the water permit; 3) report of the commission on completed technical inspection of the structure; 4) design for construction permit or as-built design; 5) excerpt from the design for construction permit or as-built design. If operation permit has been issued for electric power plant, and water approval has not been issued, the application for issuing of the water permit shall also contain: 1) operation permit; 2) report of the public water management enterprise on readiness of the structure for issuing of the water permit; 3) design for construction permit or as-built design; 4) excerpt from the design for construction permit or as-built design.
- For plants and works for which water approval or water permit has been issued and structures for which operation permit has been issued, and water approval has not been issued, in addition to the already specified elements, the application for issuing of the water permit shall contain: 1) decision of the ministry in charge of health on determination of zones of sanitary protection of springs; 2) decision of the ministry in charge of geological investigations on established and classified reserves of ground waters; 3) approval of the ministry in charge of tourism for use of water with natural curative properties in a territory of a spa resort; 4) contract or other document that the public utility company provides the service of cleaning of the structure for discharge of water and the service of elimination of solid waste; 5) report of a licensed legal entity on testing of quality of waters (taken in and discharged) from the previous period; 6) certificate of a licensed legal entity of proper condition of facilities for collection, evacuation, and treatment of waste waters, including septic tanks; 7) report of a licensed legal entity on testing of the level and quality of waters in piezometers, in the zone of storage structures, as well as 8) calibration tables issued by a licensed legal entity only for structures for storage.

Note: Along with the above appendices, the application for water permit shall also enclose the minutes recorded by the water inspector.

*more details at: www.mgsi.gov.rs and www.mpzss.gov.rs

II-5 Acquiring the water permit - if required by water requirements -

The water permit is not a requirement for the issuing of the operation permit*
The water permit is acquired after the completed technical inspection of the structure, outside of the integrated procedure

The application for the water permit is filed by the investor Enclosures:
1) decision issuing the water consent, 2) Minutes recorded by the technical inspection commission, 3) signed contracts with water management Companies; 4) documents required by the decision on water consent.
If necessary, the investor will subsequently be asked to provide additional documents.

Submitted to the ministry in charge of water management

Decision issuing the water permit

Issued for a period of max. 15 years
Before expiry, it should be extended.

*Note: in order to ensure legal certainty in plant operation, it is advisable to obtain the water permit before the commissioning of the plant.

III Approval to connect the plant to the energy network



III-1 Request for connection to the energy network

- After obtaining the operation permit it is necessary to connect the plant to the power transmission/distribution network and the network for distribution of thermal energy.
In case of commissioning the plant into trial run, the connection of the plant to the energy network shall be done before obtaining the operation permit.
The approval for connection is a requirement for acquiring the status of privileged power producer.
- **The application for approval for connection:**
 - Filed to:
 - 1) Energy transmission system operator,
 - 2) Electricity distribution system operator,
 - 3) Energy entity for distribution of thermal energy
 - Content of application:
 - Deadline for decision under the application: 1) 60 days for the transmission network, 2) 45 days for the distribution network, 3) 30 days for the thermal energy distribution system
 - Validity: equivalent to the deadline for construction/performance of works
 - Deadline for appeals: 15 days – filed to Energy Agency of RS/competent authority of the unit of local self-government
 - Connection of the structure – 15 days (transmission system)/8 days (distribution system) after fulfillment of: 1) conditions stated in the approval for connection; 2) after obtaining for the structure the act approving commissioning into trial run or operation permit for the structure and for the connection; 3) the buyer or the producer shall file to the system operator a contract on electricity supply, without stating commercial data; 4) ensured balancing responsibility for the taking over point in the system (for the grid) and ensured access to the system.

III-1 Approval for connection to the energy network

- **Content of application for connection to the transmission network:**
 - Data on: 1) the applicant; 2) the facility for which the approval for connection is applied for; 3) the time when connection is expected; 4) total installed power of the facility, the number, capacity and type of generating units; 5) the expected annual and monthly production of electricity; 6) own consumption; 7) intended manner of operation (isolated operation, parallel, or combined operation); 8) other data according to the rules
 - The application shall attach: 1) the construction permit for structures being connected for the first time; 2) copy of plan of the cadaster plot not older than 6 months, 3) evidence of property right or right of use for the structure; 4) evidence of paid administrative tax; 5) etc.

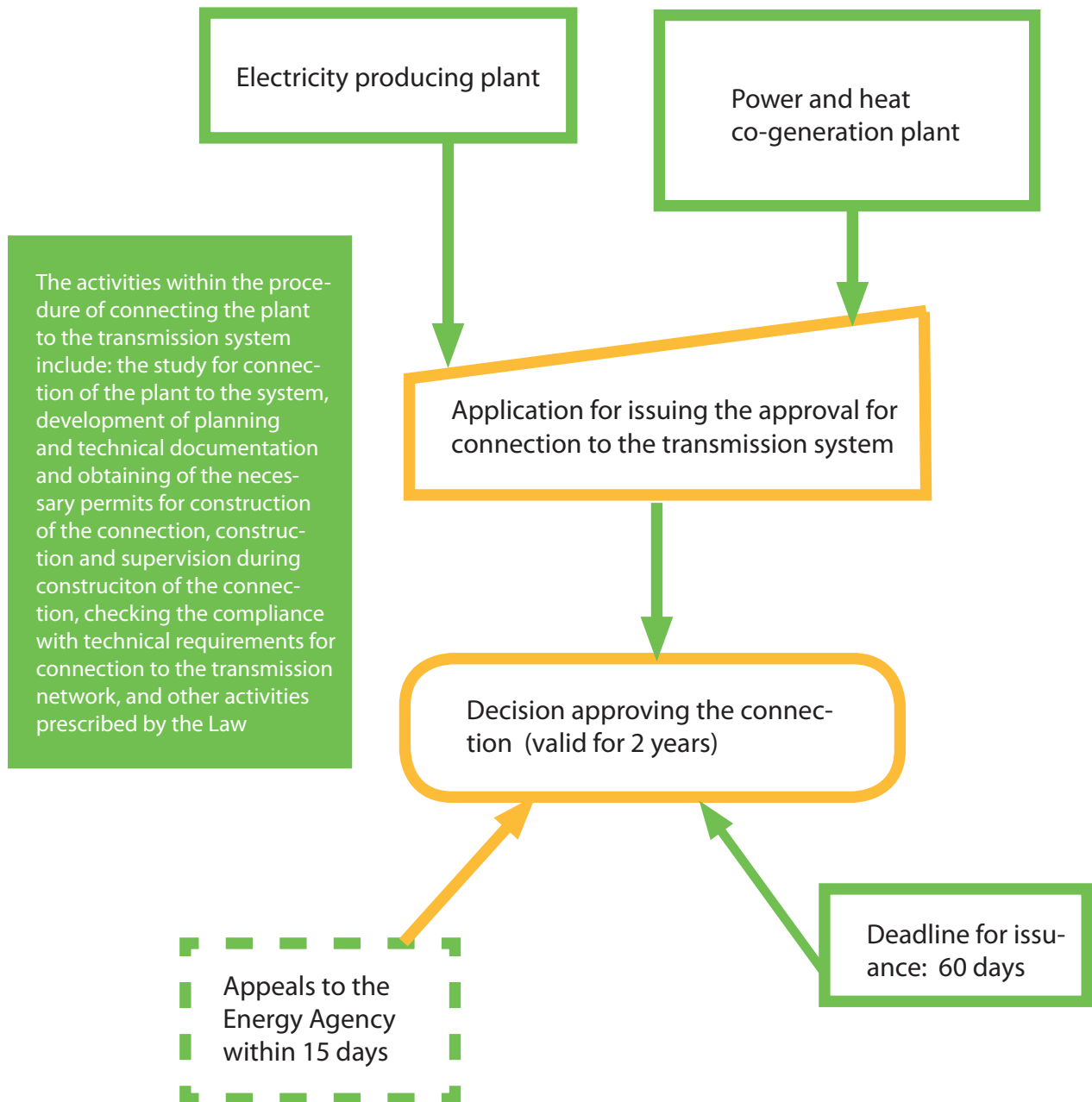
Note: more details at www.ems.rs

- **Content of application for connection to the distribution system:**
 - Data on: 1) the applicant; 2) the facility for which the approval for connection is applied for; 3) the time when connection is expected; 4) total installed power of the facility, the number, capacity and type of generating units; 5) the expected annual and monthly production of electricity; 6) own consumption; 7) intended manner of operation (isolated operation, parallel, or combined operation); 8) other data according to the rules
 - The application shall attach: 1) the construction permit for structures being connected for the first time; 2) copy of plan of the cadaster plot not older than 6 months, 3) evidence of property right or right of use for the structure; 4) evidence of paid administrative tax; 5) etc.

Note: more details at [://www.epsdistribucija.rs](http://www.epsdistribucija.rs)

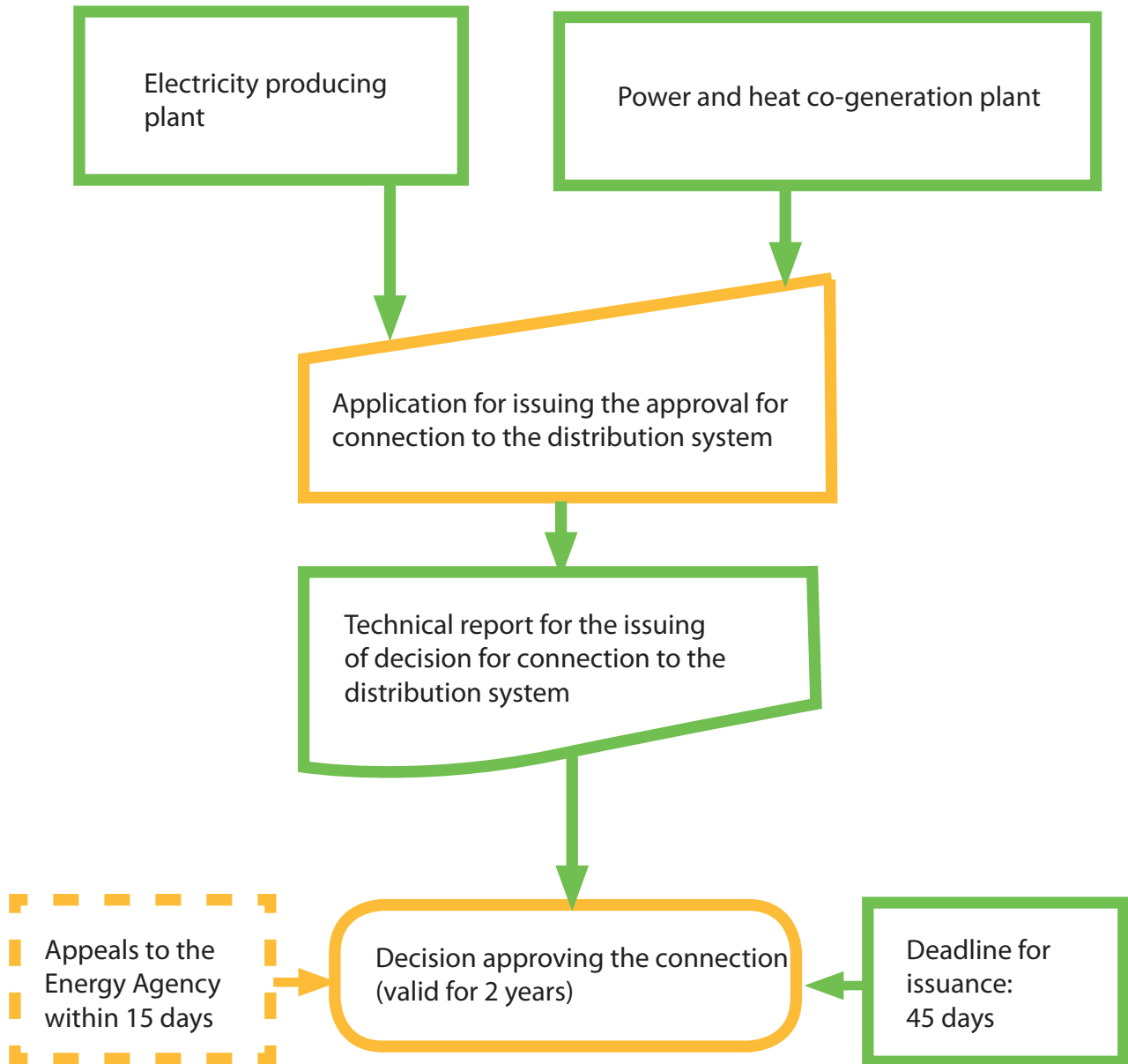
- **Content of application for connection to the heat distribution system:**
 - Data on: 1) the applicant; 2) the facility for which the approval for connection is applied for; 3) the time when connection is expected
 - The application shall attach: 1) the construction permit for structures being connected for the first time; 2) copy of plan of the cadaster plot not older than 6 months, 3) evidence of property right or right of use for the structure; 4) evidence of paid administrative tax; 5) etc.

III-1 Approval for connection to the transmission system

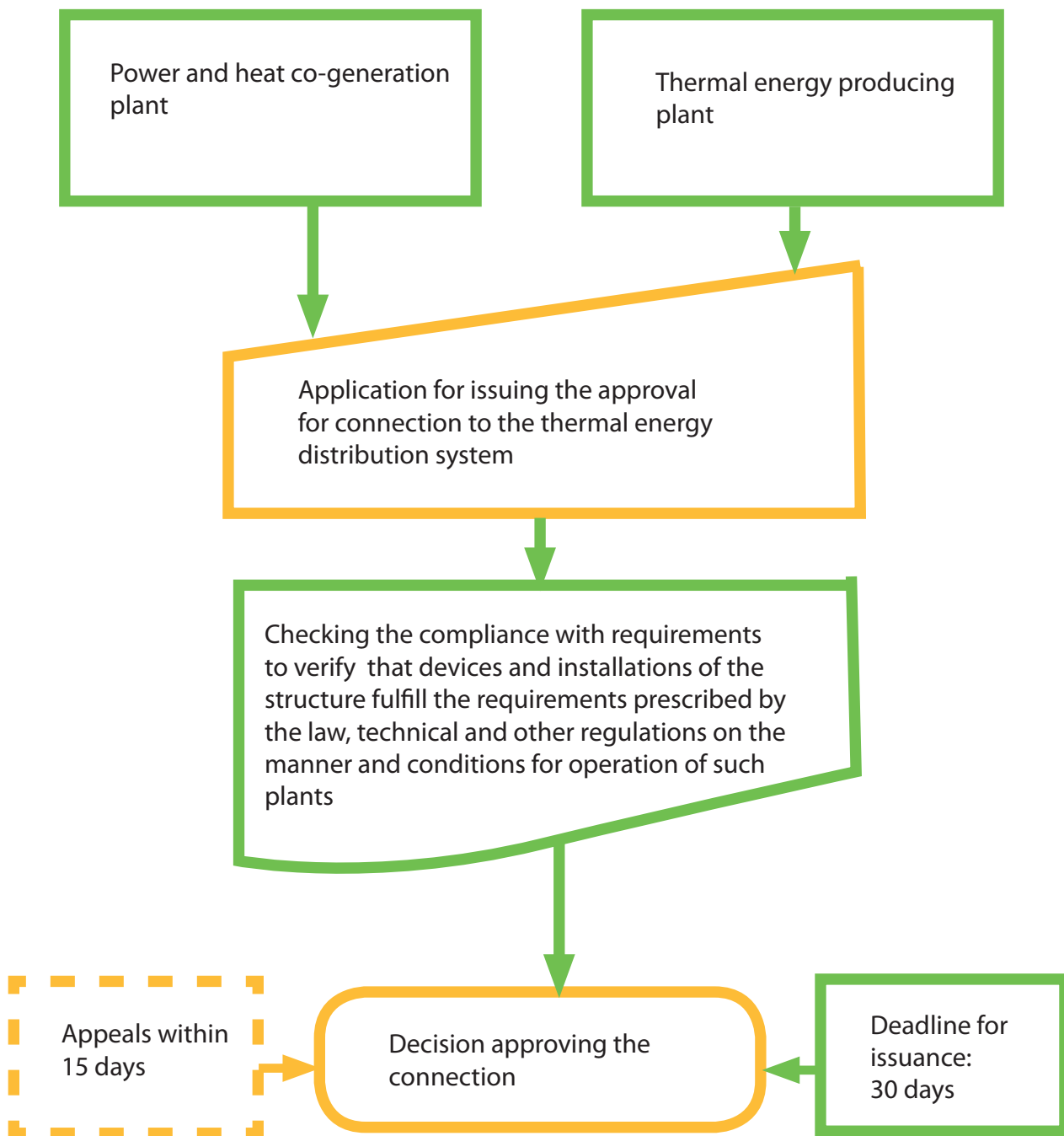


*Procedure for connection of structures to the transmission system, 23 December 2015.

III-1 Approval for connection to the distribution system



III-2 Approval for connection to the thermal energy distribution system



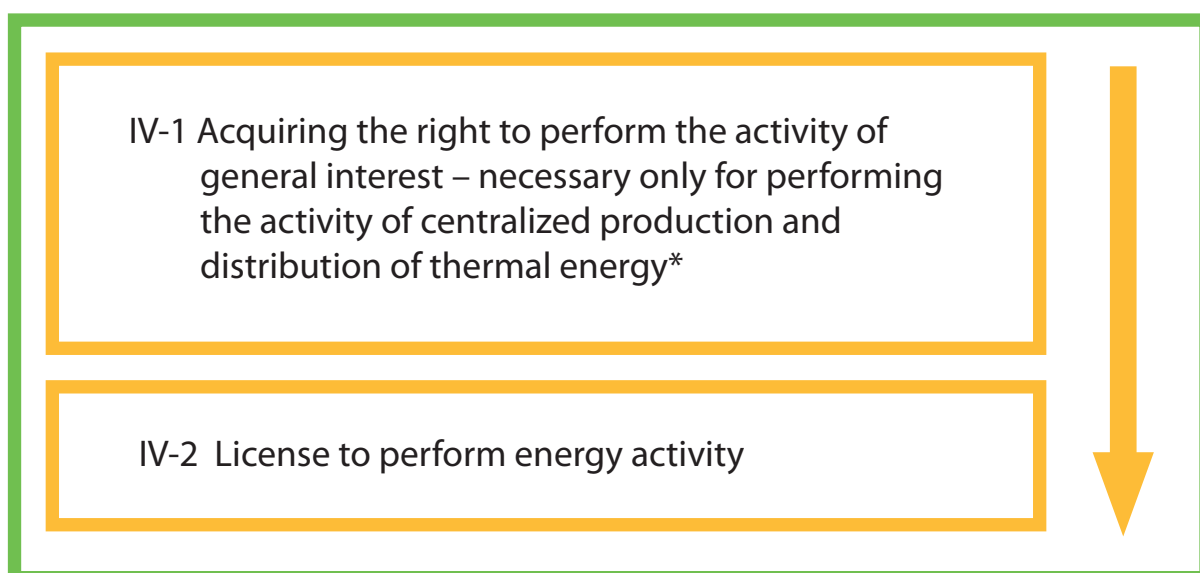
IV Acquiring the right to perform the activity of production of electricity / thermal energy



IV Acquiring the right to perform the activity of production of electricity / thermal energy

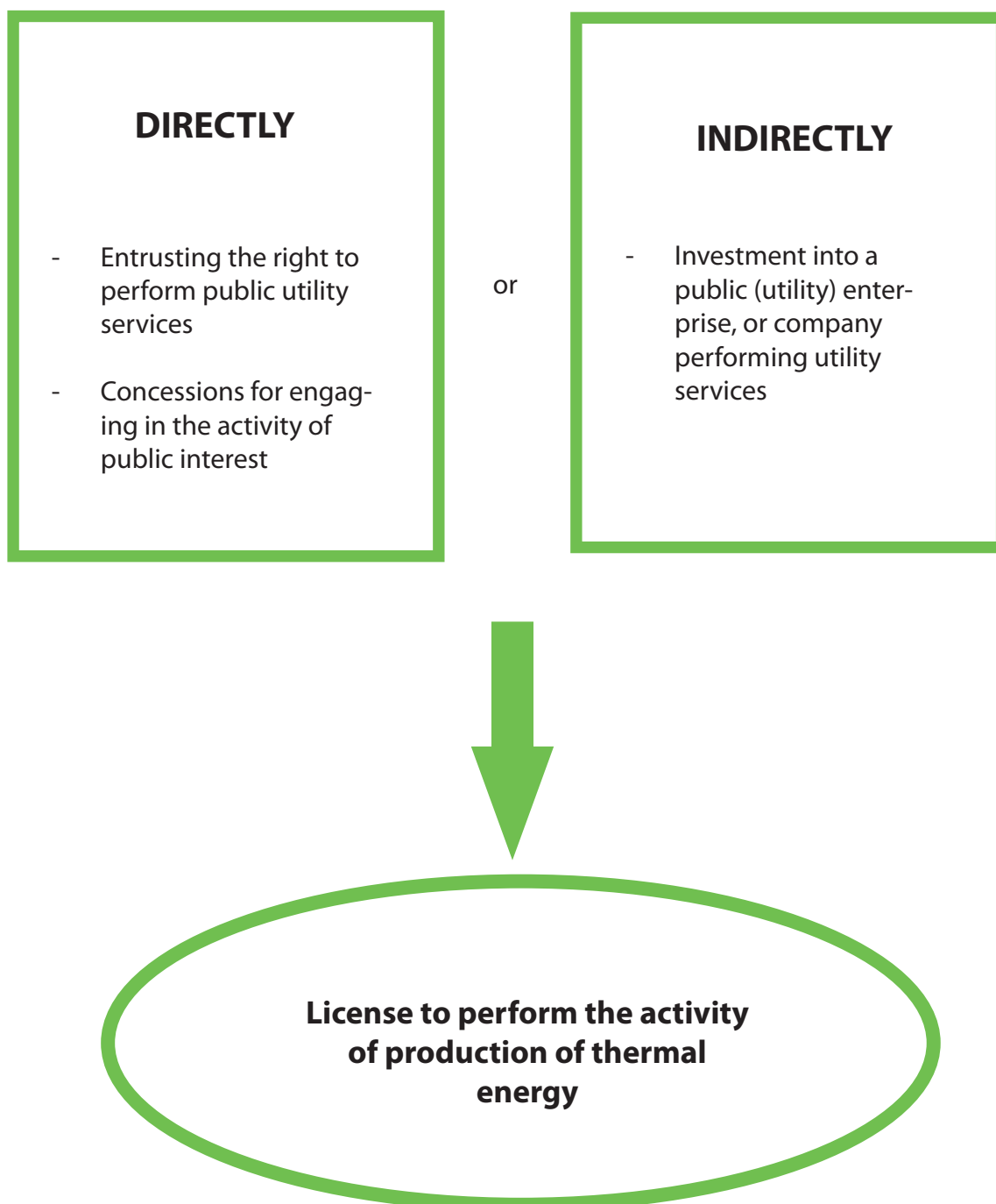
- **Market activity**
 - Production of electricity
 - Electricity and thermal energy co-generation
- **Activity of general interest**
 - Production and distribution of thermal energy
 - Centralized production and distribution in several facilities of steam and hot water for heating purposes

IV Acquiring the right to perform the activity production of electricity and electricity and thermal energy co-generation



*Note: it can be acquired on the basis of the Law on Public Utilities and the Law on Public-Private Partnership

IV-1 The right to perform the activity of production of thermal energy - manner of acquiring the right -

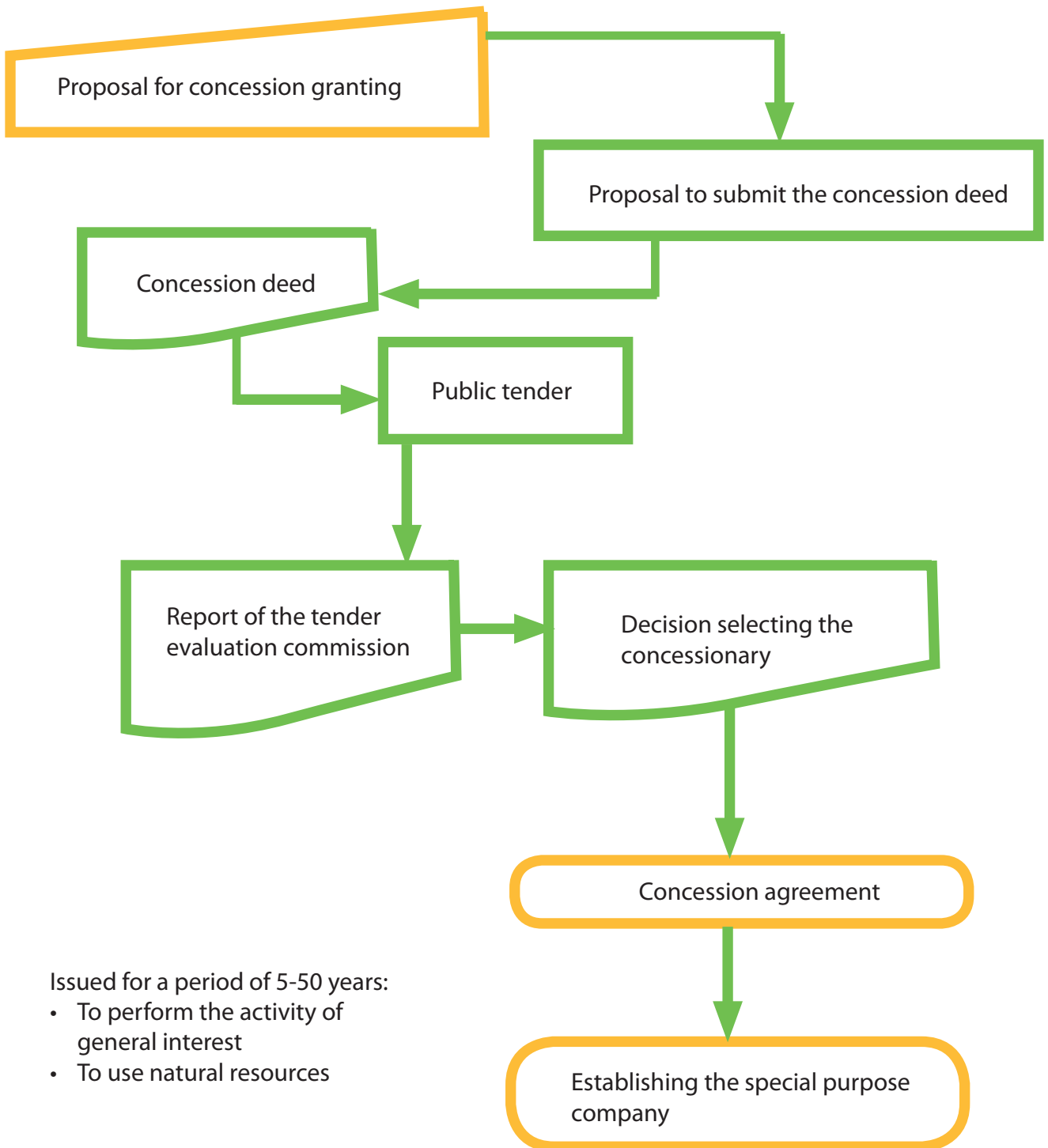


IV-1 Entrusting the right to perform public utility activity

- Entrusting on the basis of:
 - Decision of the assembly of the unit of local self-government on the manner of performing public utility services
 - Contract entrusting the public utility services
- Financing the activity of utility services determines the procedure of how it is entrusted:
 - The contractor obtains the right to ensure financing of utility services in whole or in part by collecting fees from service users, regulated by the law on concessions
 - The performance of utility services is funded from the budget of the unit of local self-government, pursuant to provisions of the law regulating public procurements
- The application is filed to the competent authority of the unit of LSG

*Note: The Law on Public Utilities

IV-1 Concession



*Note: The Law on Public-Private Partnership

IV-1 Contents of the Concession Agreement

- Parties to the agreement, the scope of the concession, including description of structures, facilities, plants
- Duration of the concession and conditions on how this duration can be extended, duration of preparatory actions
- Distribution of risks between the private and public partner and the scope of exclusive rights of the private partner
- The amount of and the manner of ensuring guarantees for execution of obligations under the concession
- The conditions for performance of the concession activity and standards of products and services, technology transfer
- Concession fees (amount, deadlines, conditions and method of payment)
- Rights and obligations regarding the undertaking of measures for ensuring general safety, public health and environmental protection, as well as liability for compensation for damages caused by violating public safety and the environment
- The right to transfer the concession
- Time and manner of handing over the immovable property, structures, facilities and plants and the state in which they are to be handed over
- Condition for amendments or termination of agreement and their consequences, changed circumstances, or force majeure
- Resolution of disputes and applicable law
- Notification on execution of agreement, manner of exercising control and rights and obligations of parties to the agreement
- Other provisions mutually agreed between parties to the agreement

IV-2 License

- License is an administrative act on fulfillment of requirements for performance of energy related activity prescribed by the Energy Law. The license is a requirement for acquiring the status of privileged power producer.
- **Application for license*:**
 - Filed to:
 - 1) The Energy Agency of the RS for biomass/biogas electricity producing plants and power and heat co-generation plants (general form 001)
 - 2) The competent authority of the unit of local self-government for biomass/biogas plants producing thermal energy (general form 002)
 - Content of application depending on the activity:
 - 1) Form PO 1.5 – Application for issuing of license for production of electricity for other power plants,
 - 2) Form PO 2.1 with Form PO 2.2 - Application for issuing of license for co-generation of electricity and thermal energy, and data on fuels and gas and particles emissions,
 - 3) Form PO 18 - Application for issuing of license for production of heat energy.
 - Deadline to decide on the application: 30 days of filing of application
 - Validity: 30 years
 - Deadline for appeals: 15 days – filed to the Ministry of Mining and Energy

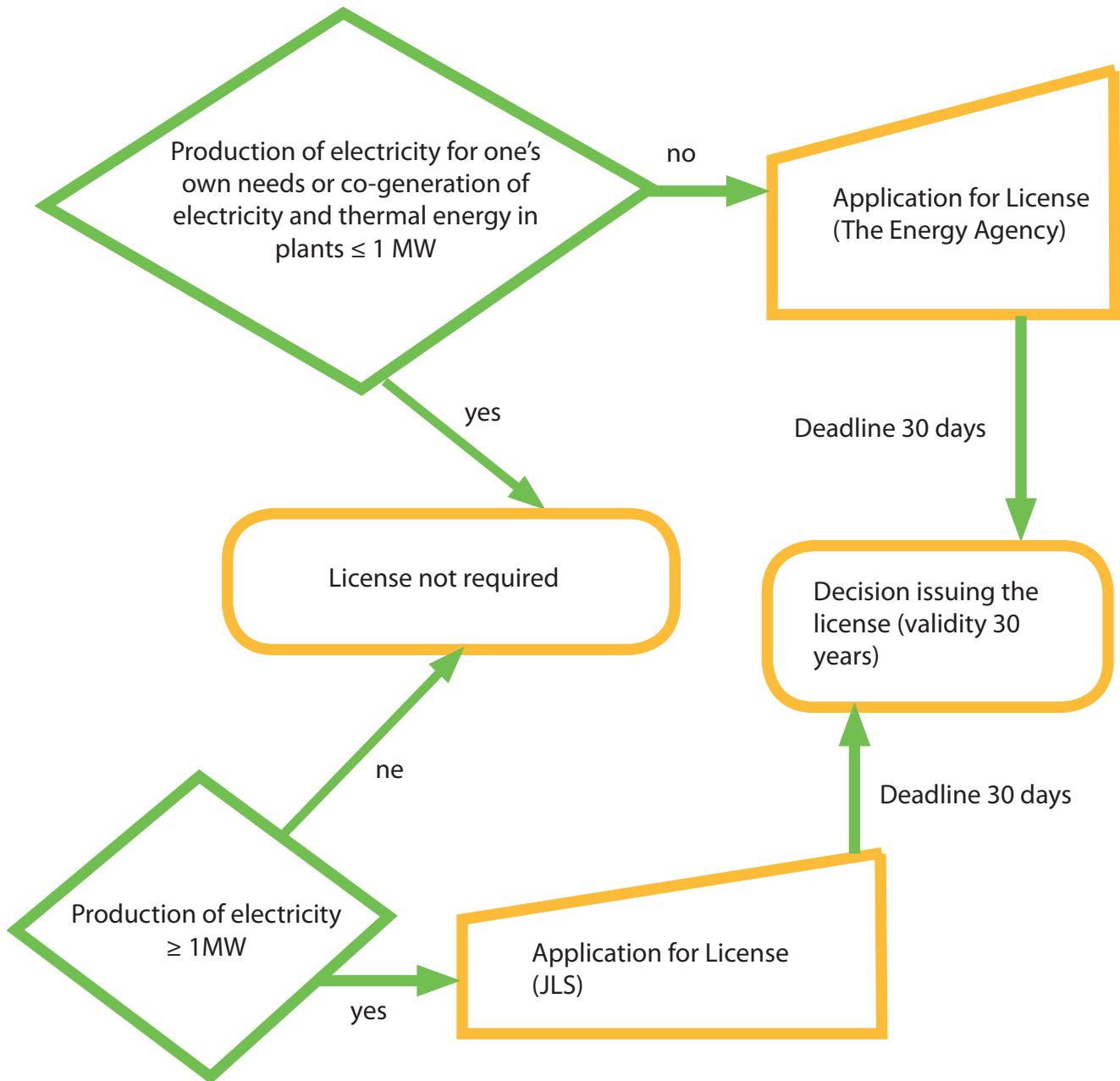
Note: License is not required for the performance of: 1) production of electricity in plants of approved capacity of connection of up to 1 MW or less, except when the same energy entity is engaged in producing electricity in two or more energy facilities of total capacity exceeding 1 MW, irrespective of whether they are connected to the system via one or several connections; 2) production of electricity exclusively for one's own needs; 3) production of thermal energy in facilities of total capacity up to 1MWt and production of thermal energy exclusively for one's own use; 4) combined heat and electricity power production in thermal plants-heating plants of up to 1 MW of total approved electrical capacity of the connection and 1 MWt of total heat capacity, as well as electricity and heat co-generation exclusively for one's own use.

*more details at: www.aers.rs

- **Content of the application:**

- Data on: 1) applicant; 2) type of energy activity, and 3) statements that all data stated in General Form 001, and General Form 002 are true.
- Filled in form dependign on the characteristics of plants
- Attachments to the application: 1) the act of establishment and excerpt from the registry according to the regulation on company registration, and the act on entrusting the performance of the activity of general interest or the concession agreement; 2) the operation permit or the act issued by competent authority confirming that operation permit is not required; 3) report by competent inspector stating that energy facilities and other devices, installations or plant necessary for performance of energy activity fulfill the conditions and requirements prescribed in technical regulations, regulations on energy efficiency, fire-fighting and environmental protection; 4) evidence of fulfillment of financial requirements for performance of energy activity, specifically: 4.1) the statements of competent authority on fulfillment of all tax obligations; 4.2) business program or plan for the year in which the request for the issuing of license is filed; 4.3) confirmation by commercial bank on turnover and average daily balance of assets on all current accounts of the applicant for the two preceding years, 4.4) balance sheet and profit and loss statements for the two preceding years 4.5) standardized report on the applicants creditworthiness: BON 1 – complete report on indicators of creditworthiness, BON 2 – report on financial standing and business operations; 5) certificate by competent authority that the director and the members of the management body have not been sentenced by final court decisions for criminal offences related to business activity; 6) document by competent authority confirming that the applicant has not been banned from performing business activity or that the legal implications of pronounced measures have ceased; 7) the legal basis for the use of the energy facility in which the energy activity is performed; 8) act by competent authority that no bankruptcy or liquidation proceeding shave been initiated; 9) statement by applicant that he has not been the owner and has not had shares and has not been employee in any energy facility from whom the license has been permanently revoked, which statement shall include the same statement for spouses, children and relatives of the first order irrespective of degree of kinship or distant relatives to the second degree of consanguinity; 10) evidence of payment of administrative tax (if the applicant has been performing its activity for less than two years, the items 4.3 – 4.5) shall be changed and shall read: 4.3) confirmation by commercial bank on turnover and average daily balance of assets on all current accounts of the applicant since the date of opening the current account until the date of submitting the request to the commercial bank, 4.4) balance sheet and profit and loss statements for the preceding year, or the opening balances in case that the energy entity is just commencing its activity; 4.5) a certificate by the commercial bank or the mother company that it can make available to the applicant the necessary financing or other securities in line with the scope of planned activities).

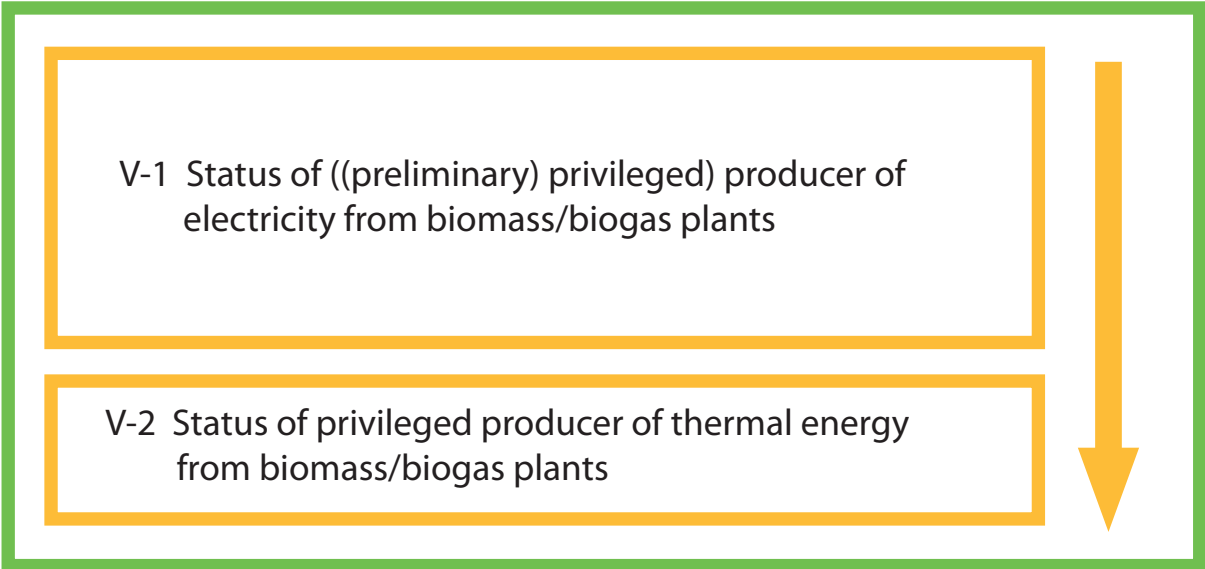
IV-2 Obtaining the License



V Acquiring the status of ((preliminary) privileged) producer of energy from renewable sources



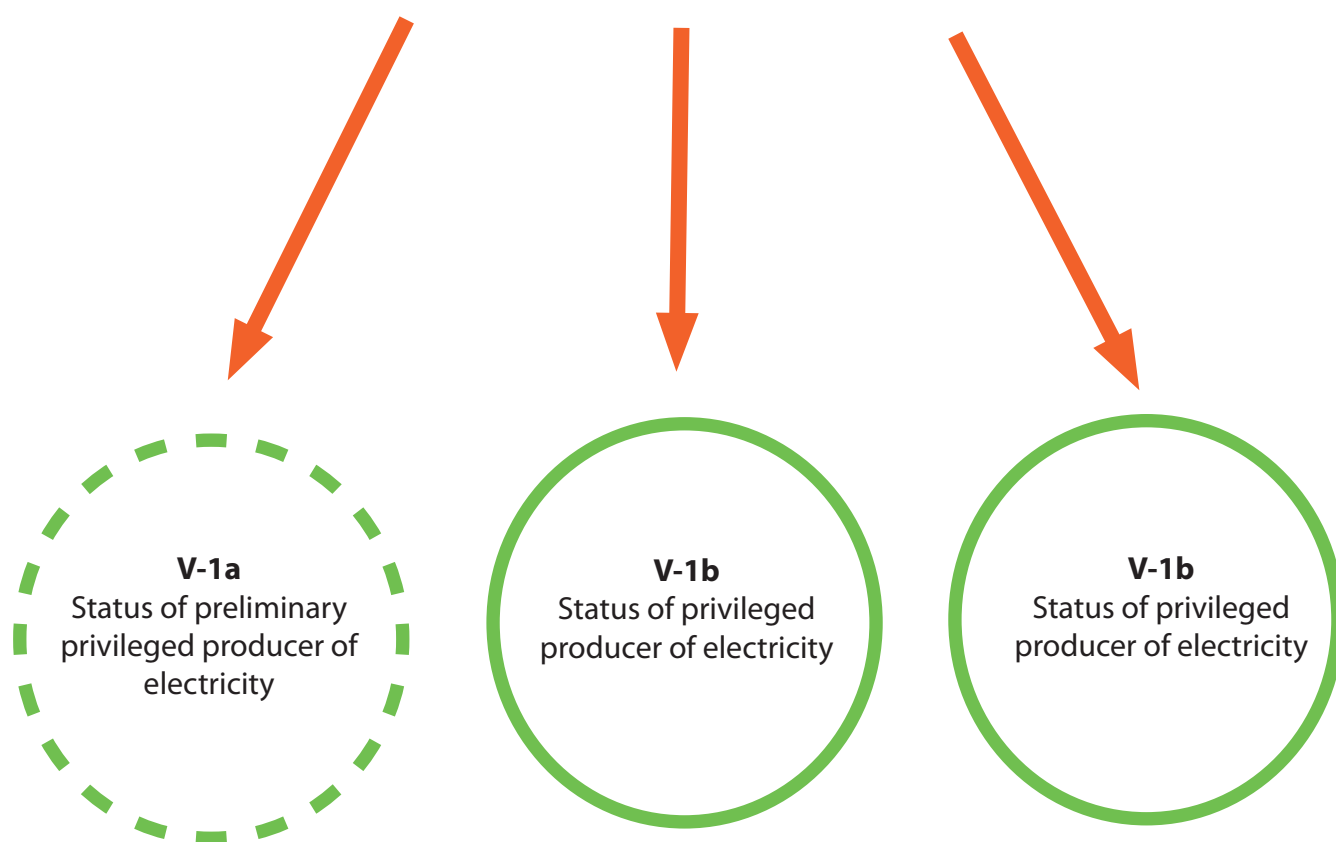
V Acquiring the status of producer of energy from renewable sources



V-1 Status of ((preliminary) privileged) producer of electricity from biomass/biogas plants

V-2 Status of privileged producer of thermal energy from biomass/biogas plants

V-1 Status of producer of electricity from biomass/biogas plants



- Energy entities and natural persons – only for installed capacity up to 30 kW.
- Cannot at the same time have two or more types of status.
- The above steps are not mandatory, but they do enable the acquiring of certain rights.

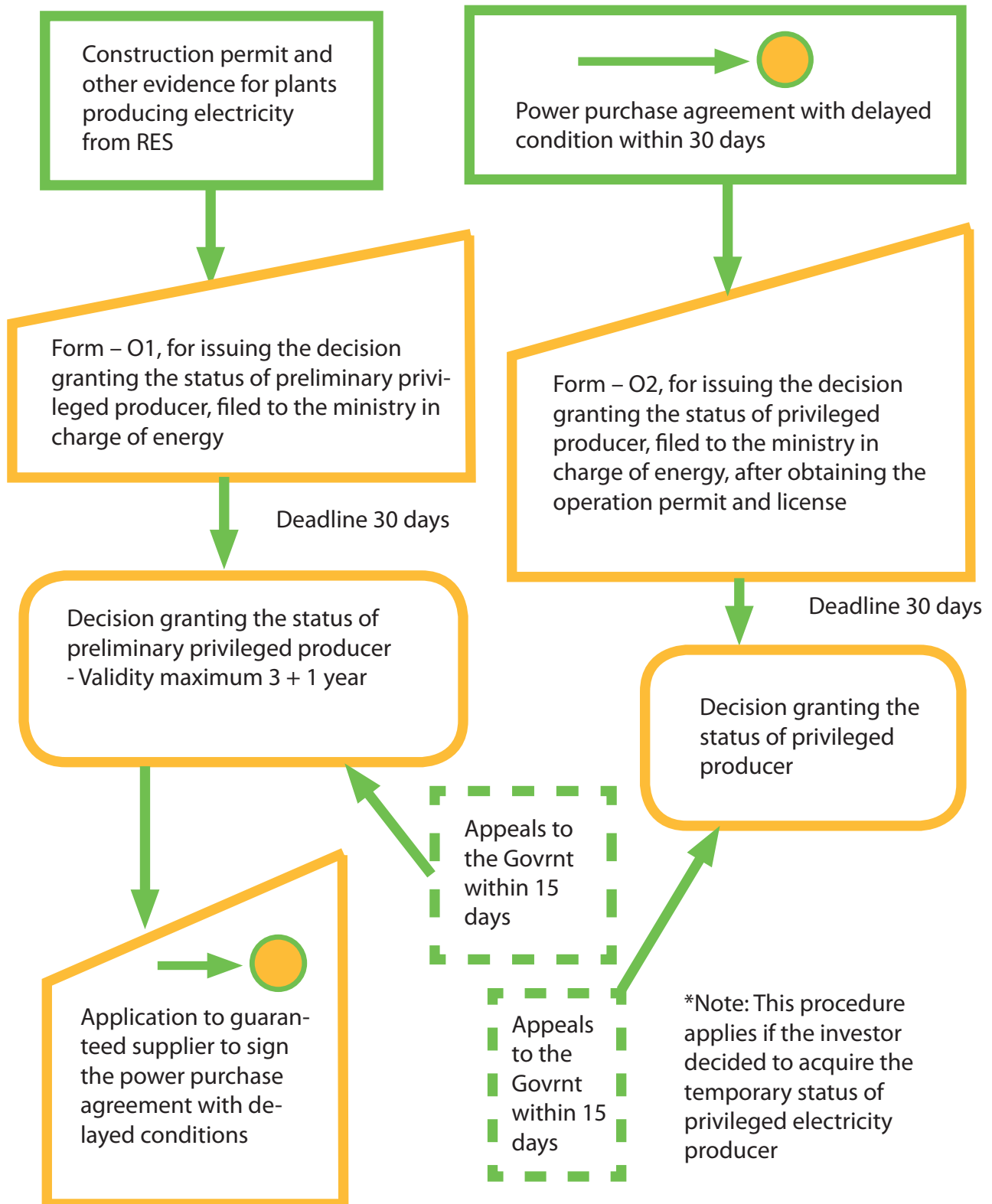
V-1a Status of preliminary privileged producer of electricity

- By means of the status of preliminary privileged producer of electricity the investor provides information to the system operator to whose electricity network it is to be connected about the capacity of the future plant for production of electricity from biomass
- The application for status of preliminary privileged producer*:
 - Filed to the competent authority : the Ministry of Mining and Energy
 - Content fo application: filled in form O-1 :
 - 1) general data on the applicant; 2) general data on the plant
 - The following shall be attached to the application: 1) for legal persons or entrepreneur: excerpt of registered data (business name, legal form, registered seat, business activity, tax identification number, corporate identification number); 2) for natural persons: a photocopy of the identity card or citizenship certificate or a photocopy of the passport if the applicant is a foreign national; 3) enforceable construction permit; 4) copy of excerpt of design for the purpose of acquiring the building permit, or the preliminary design or other technical documents on the basis of which the power plant is built; 5) copy of paid cash deposit or bank guarantee for the plant of installed capacity greater than 100 kW*, 6) act about the possibility to connect to the electricity system, 7) evidence of paid administrative tax*
 - Deadline for decision on the application: 30 days
 - Validity: 3 years, can be extended exceptionally due to unforeseen circumstances, while they last
 - Deadline for appeals: 15 days – filed to the Government
- Objective: signing of the power purchase agreement with the guaranteed supplier
 - Application to sign the power purchase agreement is filed to the: public enterprise JP EPS
 - Deadline to sign the agreement: 30 days
 - Duration of agreement: the same as duration of the status

* more details at: <http://www.mre.gov.rs/energetska-efikasnost-obnovljivi-izvori-procedure.php>, which provides the number of account for payment of deposit, the model bank guarantee, and the Form O-1

* model payment order at: <http://www.mre.gov.rs/energetska-efikasnost-obnovljivi-izvori-takse.php>

V-1a,b Acquiring the status of (preliminary)* and the status of privileged producer of electricity



V-1b Status of privileged producer of electricity

- Status of privileged producer is a requirement for exercising the rights to incentive measures – by means of signing the power purchase agreement with the guaranteed supplier
- **Application to grant the status of privileged producer*:**
 - Filed for the plant or part of plant to the competent authority: the Ministry of Mining and Energy
 - Content of application: filled in Form O-2 with appendices:
 - Deadline for decision on the application: 30 days
 - Validity of decision: max 12 years
 - Deadline for appeals: 15 days – filed to the Government

Note: Privileged producer who has previously acquired the status of preliminary privileged producer is entitled to incentive measures which were in effect at the time of acquiring the status of preliminary privileged producer.

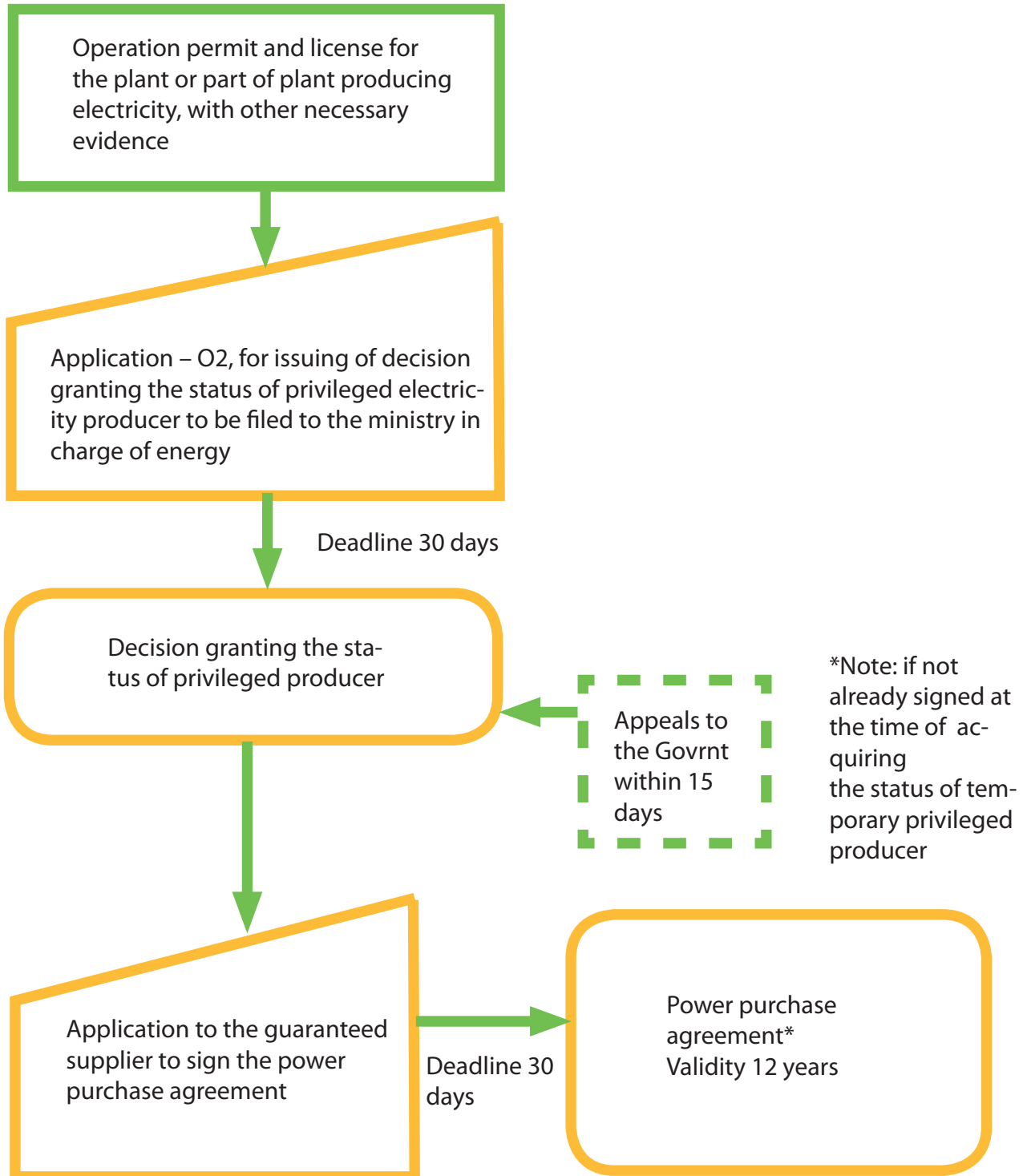
- **Purpose: to sign the power purchase agreement with the guaranteed supplier:**
 - Application to sign the agreement is filed to the : public enterprise JP EPS
 - Deadline for signing of the agreement: 30 days
 - Duration of agreement: the same as duration of the status of privileged producer of electricity or the power purchase agreement with the guaranteed supplier

*more details at: <http://www.mre.gov.rs/energetska-efikasnost-obnovljivi-izvori-procedure.php> , providing the Form O-2

- **Content of application – Form O-2*:**
 - 1) general data on applicant; 2) general data on the plant including general data specifically on the fuel
 - The application shall enclose: 1) for legal persons or entrepreneurs: excerpt of registered data (business name, legal form, registered seat, business activity, tax identification number, corporate identification number); 2) for a natural person: a photocopy of the identity card or citizenship certificate or a photocopy of the passport if the applicant is a foreign national; 3) operation permit in compliance with the law regulating planning and construction or certificate by competent authority that the plant or part thereof does not require an operation permit; 4) for reconstructed plants: evidence of plant reconstruction stating the date of construction and start of operation of the reconstructed plant, in cases when evidence from item 3) does not demonstrate that the plant is reconstructed; 5) approval for connection of the plant and diagram of measuring devices; 6) evidence that the installed equipment has not been used before, such as: data on year of production, invoices for procurement of works and equipment, contract with contractor/supplier, producer's/supplier's declaration or other similar evidence showing beyond doubt that the installed equipment has not been used before; 7) certified statement of the responsible person of the producer stating under material and criminal liability that the installed equipment has not been used before; 8) a license to perform energy producing activity according to the Energy Law; 9) evidence of paid administrative tax*

*more details at: <http://www.mre.gov.rs/energetska-efikasnost-obnovljivi-izvori-procedure.php> , providing the Form O-2

V-1b Acquiring the status of privileged producer of electricity



V-1b Incentives

- The privileged electricity producer and the preliminary privileged producer shall acquire the rights to incentives by signing the power purchase agreement with the guaranteed supplier.
- Incentives: 1) taking over the balancing obligation by the guaranteed supplier; 2) taking over the costs of balancing, by the guaranteed supplier; 3) incentives period lasting for 12 years; 4) free access to transmission/distribution system; 5) privileged feed-in tariffs.

V-1b Feed-in tariffs

- Feed-in tariffs for produced electricity are determined depending on the type and installed capacity of the plant, and the maximum effective operation time for the relevant type of plant.

Type of plant	Installed capacity P (MW)	Feed-in tariff (c€/kWh)	Maximum effective operation time (h)
Biomass plants	Up to 1	13.26	8600 during a year of the incentive period
	1 – 10	$13.82 - 0.56 * P$	
	Exceeding 10	8.22	
Biogas plants	0 – 2	$18.333 - 1.111 * P$	8600 during a year of the incentive period
	2 – 5	$16.85 - 0.370 * P$	
	Exceeding 5	15	

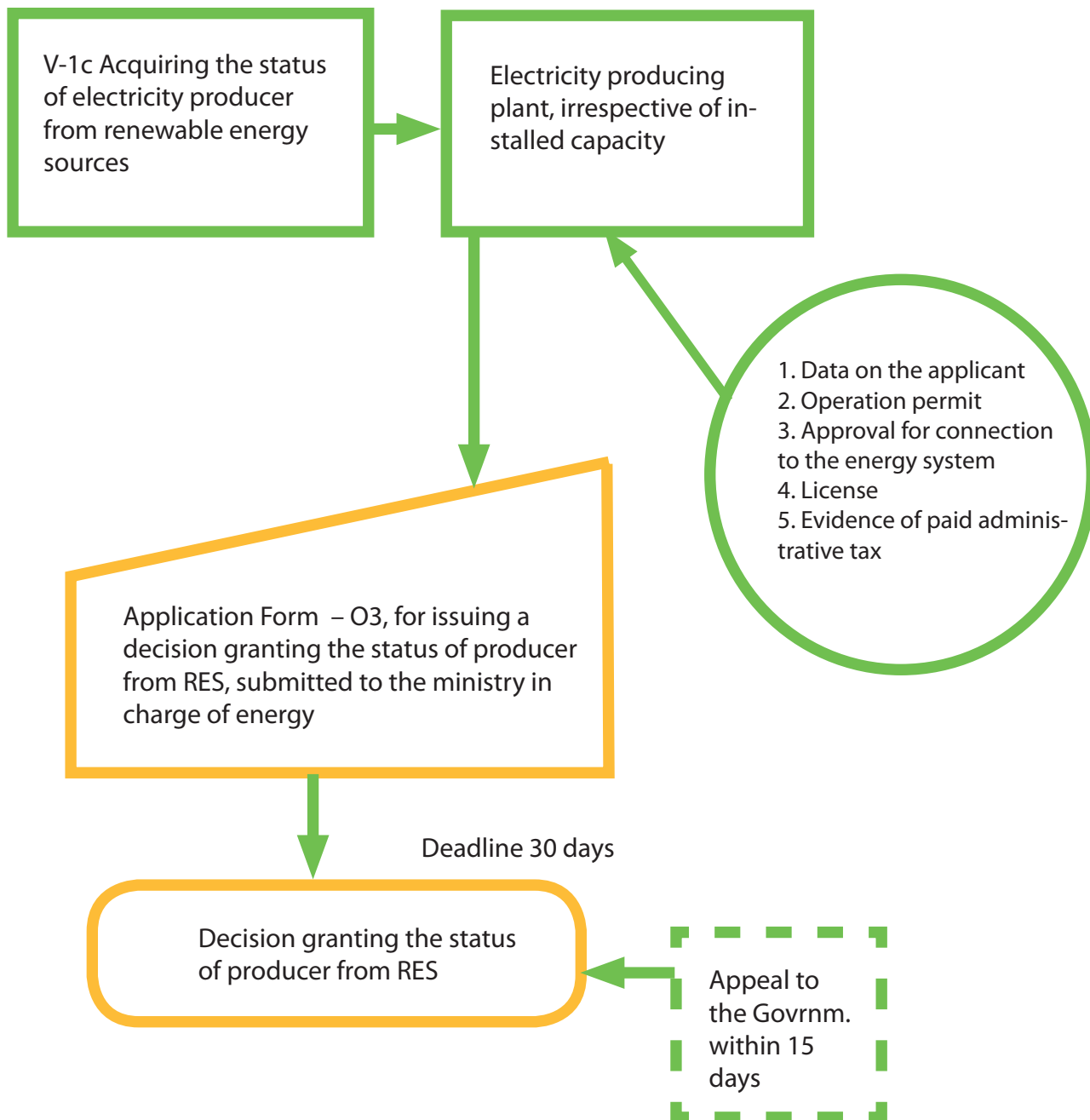
- The maximum produced electricity which can be purchased at incentive feed-in tariffs is calculated as $E_{el\ max} = P * t_{max}$, where: $E_{el\ max}$ – maximum produced electricity for which the privileged producer is entitled to incentive feed-in tariffs by the guaranteed supplier at tariffs stated in the above table, expressed in kWh; P – installed capacity of the plant or part thereof, expressed as kW; t_{max} – maximum effective time of operation as stated in the table, expressed in h.
- Until the expiration of each year of the incentive period, the additional produced electricity above the maximum produced electricity, shall be purchased by the guaranteed supplier at the price equivalent to 35% of the feed-in tariff. The privileged producer of electricity for reconstructed plants is entitled to the right to feed-in tariffs equivalent to 70% of the amount stated in the table. The preliminary privileged producer since the beginning of the incentive period exercises the right to feed-in tariffs equivalent to 50% of the value from the table.

V-1c Status of producer of electricity from renewable energy sources

- By obtaining the status of privileged electricity producer, the energy entity ensures the right to guarantee of origin and the prior right of sale to the transmission and distribution electricity network
- The producer signs the agreement with the electricity supplier
- **The application for the status of privileged producer*:**
 - Filed to the competent authority: the Ministry of Mining and Energy
 - Content of application: filled in Form O-3:
 - 1) general data on the applicant; 2) general data on the plant
 - Attachments to the application 1) operation permit in accordance with the law regulating planning and construction, or a certificate issued by the competent authority that the operation permit is not required for the constructed plant or part thereof; 2) approval to connect the plant with the diagram of measuring devices; 3) license to perform the electricity production activity, according to the Energy Law; 4) evidence of paid administrative tax
 - Deadline to decide on the application: 30 days
 - Validity: as long as it fulfills the prescribed conditions
 - Deadline for appeals: 15 days – filed to the Government

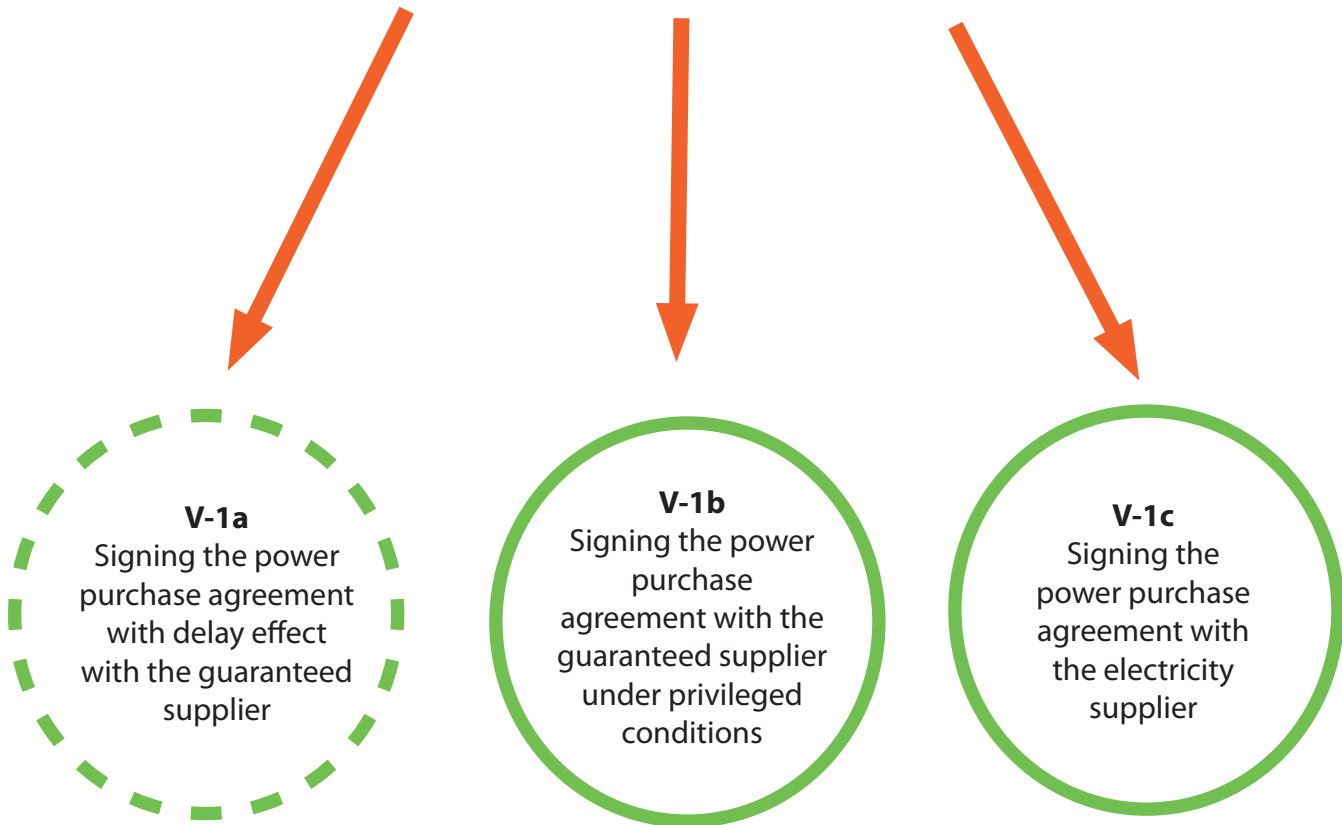
www.mre.gov.rs/energetska-efikasnost-obnovljivi-izvori-procedure.php

V-1c Acquiring the status of electricity producer from renewable energy sources

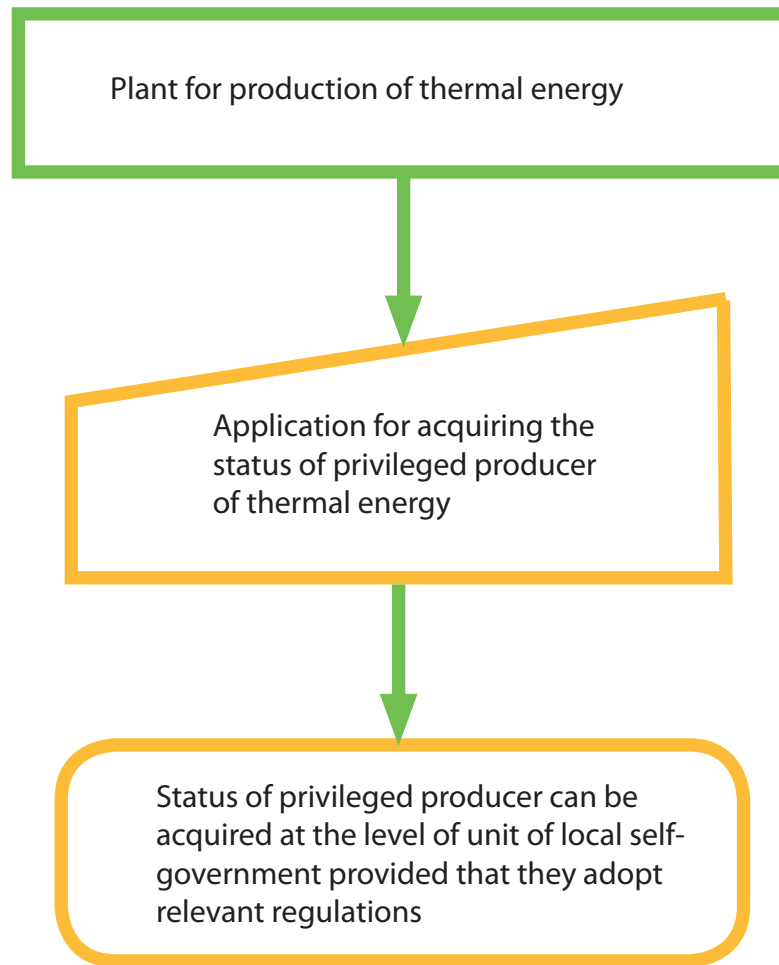


*Note: exercising the prior right in taking over the total amount of produced electricity to the transmission and distribution system, except in cases when the safe operation of these plants is at risk

Production and sale of electricity

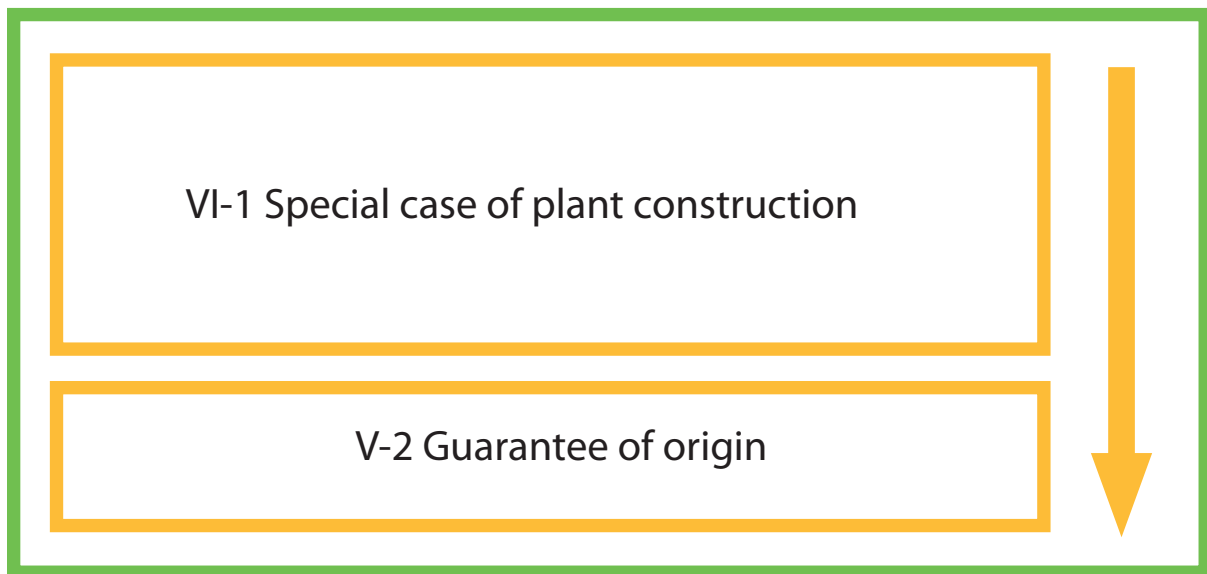


V-2 Acquiring the status of privileged producer of thermal energy



VI Special procedures

VI Special procedures



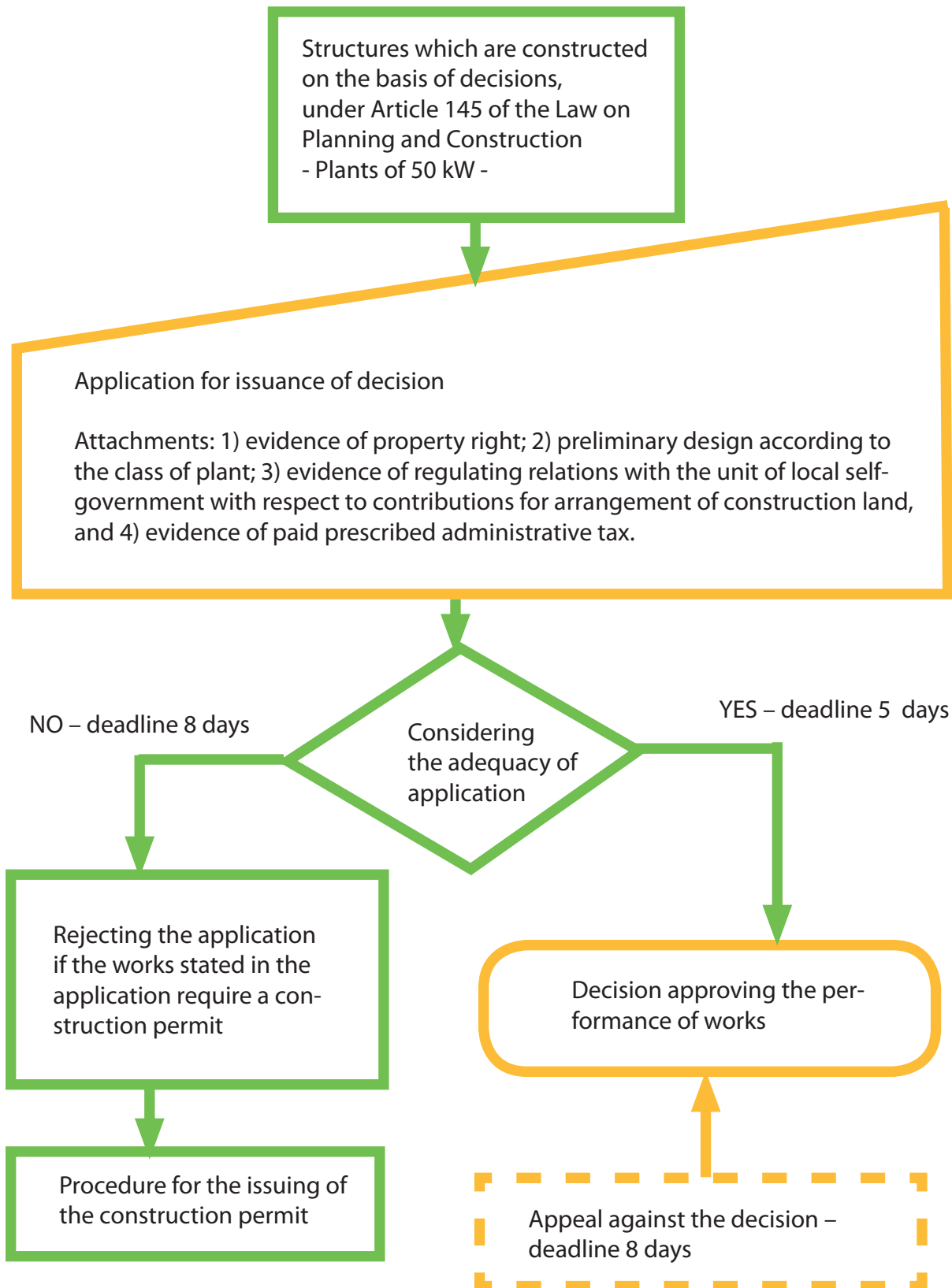
VI-1 Special case of plant construction

- The special case of plant construction for which no construction permit is issued, includes the case of installation/construction of plants using renewable energy sources with installed capacity 50 kW
- **The application for decision approving the performance of works*:**
 - Filed to the competent authority within the integrated procedure:
 - 1) The Ministry of Construction, or the competent authority of the AP if the plant is to be located in the territory of the AP for plants of capacity 10 MW and more and for plants irrespective of their capacity which meet the requirements from Article 133 of the Law on Planning and Construction, except when the plant is installed within the boundaries of national parks, facilities within the boundaries of protection of protected natural assets of exceptional significance, and plants within the protected environs of cultural assets of exceptional significance and assets inscribed in the List of World Cultural Heritage
 - 2) The authority of the unit of local self-government in whose territory the desired location for the construction of the plant is located, except for plants from Article 133 of the Law on Planning and Construction and in cases of exceptions from the Article 133 of the Law on Planning and Construction.
 - Content of application – filled in form and attachments
 - Attachments to the application: 1) evidence of property right; 2) preliminary design according to the class of plant; 3) evidence of regulating relations with the unit of local self-government with respect to contributions for arrangement of construction land, and 4) evidence of paid prescribed administrative tax
 - Deadline to decide on the application: 5 working days after obtaining all necessary conditions for the issuing of location conditions
 - Validity: until the completion of works or obtaining of the operation permit
 - Deadline for appeals: 8 days – filed to the Government/the competent council of local self-government

Note: After the completion of construction it is possible to apply for the issuing of the operation permit

*more details at: www.mgsi.gov.rs

VI-1 Special case of plant construction - procedure



VI-1 Guarantee of origin

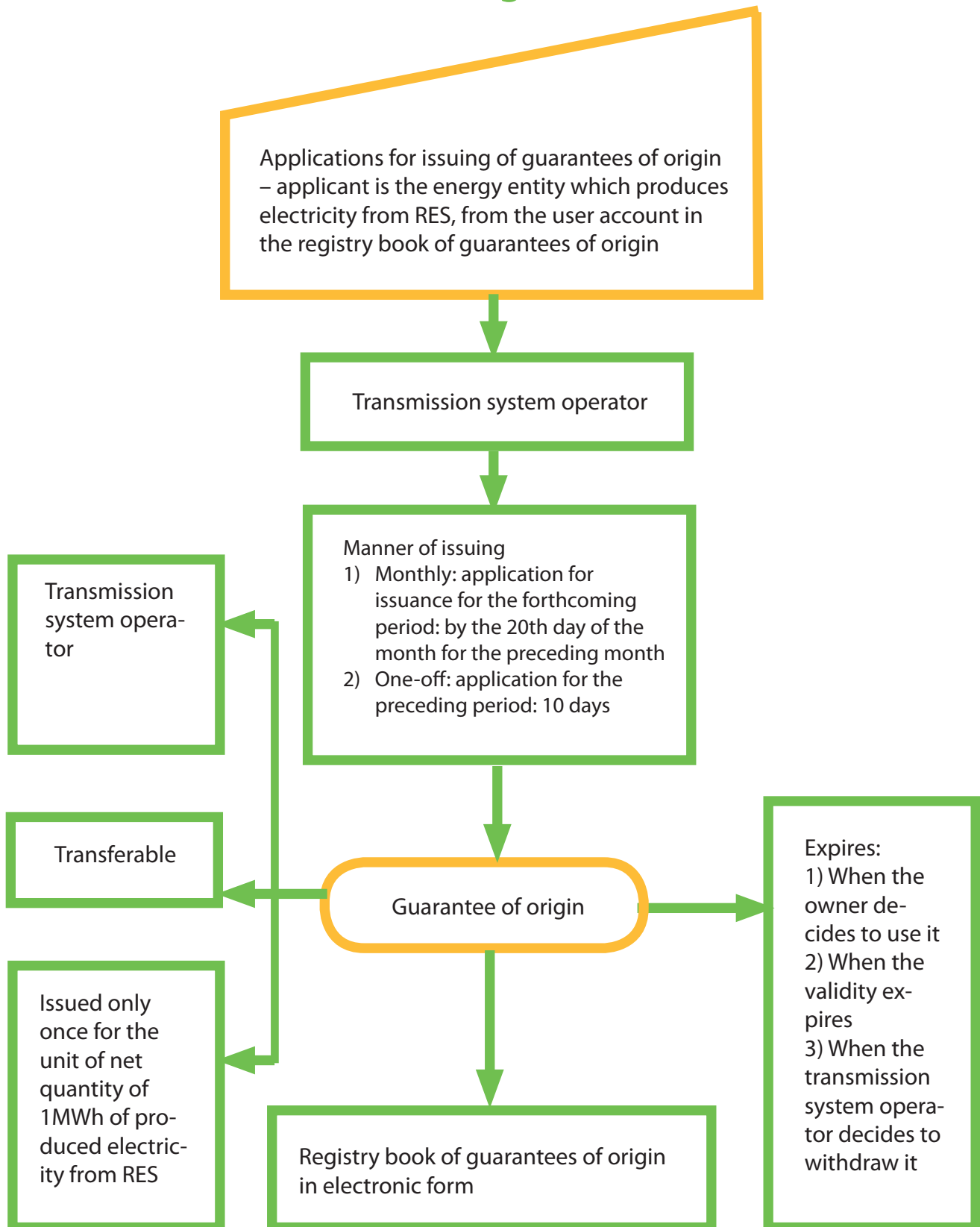
- Document – in electronic form, the exclusive function of which is to prove to the end buyer that the given share or quantity of energy has been generated from renewable energy sources, as well as from combined heat-and-power generation plants with a high efficiency coefficient of the primary energy ; it is issued only once for the unit quantity of electricity of 1MWh produced in a certain time period, and can be used only once.

Guarantees of origin issued in other states are valid under the conditions of reciprocity also in the Republic of Serbia and in line with ratified international agreements

- The application for the issuing of guarantees of origin*:
 - Are filed to the transmission system operator – JP EMS
 - Are filed with the user account number in the registry book of guarantees of origin
 - Deadline to decide on the application: 10 days
 - Validity: one year of the last day of the period of production for which the guarantee is issued

*more details at: www.ems.rs and www.mre.gov.rs

VI-2 Issuing of guarantees of origin



Relevant Laws, Strategic Documents, Plans and Bylaws

Laws

1. Energy Law, Official Gazette of RS No. 145/14
2. Law on Waste Management, Official Gazette of RS No. 36/09, 88/10, and 14/16
3. Law on Planning and Construction, Official Gazette of RS No. 72/09, 81/09, 64/10 – decision of the Constitutional Court 24/11, 121/12, 42/13 - decision of the Constitutional Court 50/13 - decision of the Constitutional Court 98/13 - decision of the Constitutional Court 132/14 and 145/14
4. Law on the Spatial Plan of the Republic of Serbia, Official Gazette of RS No. 88/10
5. Law on Environmental Protection, Official Gazette of RS No. 135/04, 36/09, and 14/16
6. Law on Environmental Impact Assessment, Official Gazette of RS No. 135/04 and 36/09
7. Law on Strategic Environmental Impact Assessment, Official Gazette of RS No. 135/04 and 88/10
8. Law on Integrated Pollution Prevention and Control, Official Gazette of RS No. 135/04 and 25/15
9. Law on Air Pollution, Official Gazette of RS No. 10/13
10. Law on Nature Protection, Official Gazette of RS No. 36/09, 88/10, 91/10 and 14/16
11. Law on Waters, Official Gazette of RS No. 30/10 and 93/12
12. Law on Forests, Official Gazette of RS No. 30/10 and 93/12
13. General Administrative Procedure Law, Official Gazette of RS No. 18/16
14. Law on Public Utilities, Official Gazette of RS No. 88/11
15. Law on Public-Private Partnership and Concessions, Official Gazette of RS No. 88/11 and 15/16
16. Company Law, Official Gazette of RS No. 36/11, 99/11, and 5/15
17. Law on Public Companies, Official Gazette of RS No. 15/16

Strategies and Plans

1. Strategy of Development of the Energy Sector of the Republic of Serbia, Official Gazette of RS No. 101/15
2. National Renewable Energy Action Plan of the Republic of Serbia, Official Gazette of RS No. 53/13

Decrees

1. Decree on Requirements and Procedure for Acquiring the Status of Privileged Electricity Producer, Preliminary Privileged Electricity Producer and Electricity Producer from Renewable Energy Sources, Official Gazette of RS No. 56/16
2. Decree on Incentive Measures for Production of Electricity from Renewable Energy Sources and from Renewable Energy Sources and from High-efficiency Combined Production of Electricity and Heat, Official Gazette of RS No. 56/16
3. Decree on Power Purchase Agreement, Official Gazette of RS No. 56/16
4. Decree on for Fees for Incentives for Privileged Electricity Producers, Official Gazette of RS No. 12/16
5. Decree on the List of Projects for which the Environmental Impact Assessment (EIA) Study is Mandatory and the List of Projects for which EIA May be Requested, Official Gazette of RS No. 114/08
6. Decree on Criteria for Definition of the Best Available Techniques, for Implementation of the Standards of Quality, as well as for Determination of Limit Values of Emission in the Integrated Permit, Official Gazette of RS No. 84/05
7. Rulebook on the Contents of the Information on Location, Official Gazette of RS No. 35/14 and 114/15
8. Decree on Conditions of Supply of Electricity, Official Gazette of RS No. 63/13
9. Decree on Protection Regimes, Official Gazette of RS No. 31/12

Bylaws

1. Rulebook on Energy Permit, Official Gazette of RS No. 15/15
2. Rules on the Operation of the Distribution System, Official Gazette of RS No. 11/15
3. Rules on Operation of the Transmission System, Official Gazette of RS No. 91/15
4. The Rulebook on Guarantees of Origin for Electricity Produced from Renewable Sources, Official Gazette of RS No. 24/14
5. Rulebook on Integrated Procedure, Official Gazette of RS No. 113/15
6. Rulebook on Contents, Appearance and Manner of Filling the Application for Issuing of the Integrated Permit, Official Gazette of RS No. 30/06
7. Rulebook on the Content and Format of the Integrated Permit, Official Gazette of RS No. 30/06
8. Rulebook on the Content and Manner of Issuing the Construction Permit, Official Gazette of RS No. 93/11 and 103/13 – decision of the Constitutional Court
9. Rulebook on General Rules of Parcelization, Regulation and Construction, Official Gazette of RS No. 22/15
10. Rulebook on Closing and marking of Closed Construction Site, Official Gazette of RS No. 22/15
11. Rulebook on Minimum Guarantee Periods for Different Types of Structures and Works, Official Gazette of RS No. 93/11
12. Rulebook on Content, Method and Procedure for Preparation and Control of Technical Documentation by Class and Intended Use of Structures, Official Gazette of RS No. 23/15
13. Rulebook on the Contents of the Information on Location, Official Gazette of RS No. 35/15