

SUBSIDIARY LEGISLATION 423.46

**FEED-IN TARIFFS SCHEME (ELECTRICITY
GENERATED FROM SOLAR PHOTOVOLTAIC
INSTALLATIONS) REGULATIONS**

1st July, 2013*

*LEGAL NOTICE 253 of 2013, as amended by Legal Notices 271 of 2013,
and 7, 155 and 416 of 2014; and Act XXXIV of 2014.*

1. (1) The title of these regulations is the Feed-in Tariffs Scheme (Electricity Generated from Solar Photovoltaic Installations) Regulations. Title and purpose.

(2) The purpose of these regulations is to establish a feed-in tariff for electricity generated from solar photovoltaic installations and hence to promote and support the generation of electricity from renewable energy sources.

2. (1) Unless otherwise stated in these regulations, the definitions in the Act shall apply. Definitions.
Amended by:
L.N. 155 of 2014;
XXXIV. 2014.55,
56.

(2) In these regulations, unless the context otherwise requires:

"the Act" means the Malta Resources Authority Act;

Cap. 423.

"annual threshold" means the cap in kWh or kVAh for the payment of the feed-in tariff for the period of time commencing on the 1st January and ending on the 31st December of each year;

"the Authority" means the Malta Resources Authority as established by the Act;

"change of use of premises" means the change in the classification of a premises in terms of these regulations whether domestic or residential or non-residential or institutional household;

"commissioned" means the first time a solar photovoltaic installation is put into operation, following the establishment of operational readiness;

"DC" means direct current;

"distribution" means the transport of electricity on high voltage, medium voltage and low voltage distribution systems with a view to its delivery to consumers, but not including supply;

"distribution system" means all the interconnected technical facilities used for conveying electricity to final customers;

"distribution system operator" shall have the same meaning as under the [Electricity Market Regulations](#);

"domestic premises" means premises which include private

*see regulation 1(3) of these Regulations, as originally promulgated.

dwellings with no persons registered with the distribution system operator as residing in them such as second homes, or private garages and common areas including roofs, stairs, terraces, gardens to buildings which are used solely for private dwellings;

"FIT" means feed-in tariff;

"FIT scheme" means the annual scheme whereby a specific amount of electricity generated by eligible solar photovoltaic installations and exported to the distribution system are paid a feed-in tariff as established in terms of these regulations;

"generation" means the production of electricity;

"ground-mounted" means installed on a supporting structure directly above ground, or integrated or fixed to a structure, such as a tent, greenhouse, glasshouse, canopy or other similar structure but does not include any structure installed on the roof of a building;

"installation operator" means the owner of the solar photovoltaic installation;

"institutional households" shall include the following premises:

- (a) healthcare institutions such as premises used as a hospital, nursing home or as any institution providing medical or nursing care;
- (b) institutions for retired, elderly or disabled persons, including premises used as a home for the retired or elderly persons or persons with any disability;
- (c) educational institutions including premises used as a boarding school or for similar purposes;
- (d) care institutions including premises used as orphanages, shelter homes, open centres for refugees or for similar purposes;
- (e) religious institutions including premises used as convents, retreat houses, or for similar purposes;
- (f) military institutions such as military barracks;
- (g) other institutions including premises used as boarding houses, penal or correctional facilities or for similar purposes;

"kVAh" means kilo Volt Ampere hour; "kW" means kilo Watt;

"kWh" means kilo Watt hours;

"marginal cost per unit" means the additional cost of producing one more unit as prescribed in the Fourth Schedule;

"metering equipment" means the electricity meters provided by the distribution system operator including smart meters, any voltage and current transformers and any other associated equipment and wiring required to measure the quantity of electricity supplied or exported;

"the Minister" means the Minister responsible for resources;

"net metering arrangement" means the arrangement in place prior

to the entry into force of these regulations where the units exported to the grid are deducted from the units imported from the distribution system for the calculation of the electricity bill;

"non-residential premises" means a building or plot of land which is used wholly or mainly for the purpose of conducting an economic activity, but does not include any building such as private garages or common areas to buildings which are used solely as private dwellings;

"operational readiness" means the capability to function in accordance with design and specifications;

"period of guaranteed payment of the feed-in tariff" means the period of time over which the feed-in tariff for all electricity generated from a solar photovoltaic installation is guaranteed;

"renewable energy sources" means renewable non-fossil energy sources, that is, wind, solar, geothermal, wave, tidal, hydropower, biomass, landfill gas, sewage treatment plant gas and biogases;

"residential premises" means any premises used solely and regularly as a private dwelling where at least one person resides but does not include institutional households;

"roof-mounted" means installed on the roof of a building and for the purposes of this definition "roof" shall also include a supporting structure permanently installed or attached to the roof of a building, but which shall exclude any supporting structure integrated or fixed to a structure, such as tent, canopies or other similar structures when installed ground-mounted;

"scheduled" means in accordance with the scheduled program of ARMS Limited for the taking of periodic electricity meter readings;

"smart meters" shall have the same meaning as in the Electricity Supply Regulations; S.L.423.01

"spill-off tariff" means the tariff to be paid for every unit generated by the installation operator in excess of own consumption and exported to the distribution system from a solar photovoltaic installation when the billing is done on a net metering arrangement;

"solar photovoltaic installation" means a solar photovoltaic system that generates electricity exclusively from solar radiation and consisting of all accessories including:

- (a) an array or arrays of photovoltaic modules that collect and absorb sunlight for conversion into electricity;
- (b) an inverter or inverters;
- (c) associated balance of system components, including wiring, conduits, switchgear, protection equipment, ancillary equipment and any other part of the installation necessary for the production and conveyance of electricity up to the metering equipment supplied by the distribution system operator, after the said solar photovoltaic installation has been approved by the Authority as meeting the applicable criteria

specified in the First Schedule;

"submission date" means, in the case of a solar photovoltaic installation mentioned in regulation 4(1), the date on which the request to participate in the FIT scheme is received by the Authority and, in the case of a solar photovoltaic installation mentioned in regulation 4(2), the date when a notification or an application for an authorisation to construct a solar photovoltaic installation, as the case may be, is received by the Authority together with the request to participate in the FIT scheme.

Applicability.

3. These regulations shall apply to any solar photovoltaic installation which generates electricity exclusively using solar photovoltaic panels and insofar as such solar photovoltaic installation is installed either in a residential or domestic premises or non-residential or institutional household and is connected to the distribution system either directly or indirectly with the appropriate protection and metering equipment:

Provided that these regulations shall not apply to installation operators who are proposed to benefit from a project specific feed-in tariff agreement, or have benefitted from any other arrangement approved by the Authority.

Sale of electricity
generated from
solar photovoltaic
installations.
Amended by:
XXXIV. 2014.56.

4. (1) In the case of a solar photovoltaic installation commissioned and connected to the distribution system on a net metering arrangement by means of the appropriate metering equipment provided by the distribution system operator prior to the entry into force of these regulations, the installation operator may opt either to:

- (a) retain existing net metering arrangements with the distribution system operator and be paid the spill-off tariff for any electricity generated from the solar photovoltaic installation and exported to the distribution system paid prior to the entry into force of these regulations:

Provided that the installation operator may not avail himself of this option when an undertaking with the distribution system operator existing prior to the entry into force of these regulations requires him to switch over from existing net metering arrangements to a feed-in tariff arrangement once this is established; or

- (b) request the Authority:
 - (i) either to sell all electricity generated by the solar photovoltaic installation to the distribution system operator in accordance with regulation 6, or
 - (ii) to generate electricity primarily for own consumption in the premises where the photovoltaic installation is located and to be paid the feed-in tariff in accordance with regulation 6 for any excess electricity generated and exported to the distribution system.

(2) In the case of any solar photovoltaic installation commissioned after the entry into force of these regulations and satisfying the eligibility criteria established in the First Schedule, the installation operator may:

- (a) either sell all electricity generated by the solar photovoltaic installation to the distribution system operator in accordance with regulation 6; or
- (b) or generate electricity primarily for own consumption in the premises where the solar photovoltaic installation is located and be paid the feed-in tariff in accordance with regulation 6 for any excess electricity generated and exported to the distribution system.

(3) Where an installation operator referred to in sub-regulation (1) opts for either of the options in sub-regulation (1)(b), such installation operator will not be permitted to revert to the net metering arrangements provided in sub-regulation (1)(a).

(4) Any expenses incurred by the installation operator for the reversion from the existing net metering arrangements to the arrangements in sub-regulation (1)(b) shall be borne by the installation operator.

(5) Notwithstanding the provisions of sub-regulation (1)(a), an installation operator whose solar photovoltaic installation has been installed prior to the entry into force of these regulations, may not retain existing net metering arrangements if the capacity of the solar photovoltaic installation is increased after the entry into force of these regulations.

(6) The installation operator shall not be eligible for the feed-in tariff unless the solar photovoltaic installation is compliant with the eligibility criteria established by the First Schedule and he obtains the necessary authorisations, licences or permits from the relevant competent authorities and the distribution system operator.

(7) In the case where the installation operator opts to utilise the electricity generated by the solar photovoltaic installation, the distribution system operator shall install metering equipment to measure all the electricity generated by the solar photovoltaic installation in addition to the import/export metering equipment.

(8) The electricity generated from different installations within the same premises shall be separately metered when those installations generate such electricity from different renewable energy sources.

(9) For the purposes of these regulations, the installation operator generating electricity from renewable energy sources in the same premises may opt either to export all the electricity generated at the applicable feed in tariff as the case may be for each type of renewable energy source as separately metered, or to generate electricity primarily for own use and to export the surplus at the lowest of the applicable feed-in tariffs payable for the electricity generated and exported to the distribution system from renewable energy sources.

Electricity
generated
exclusively by
solar photovoltaic
installations
constructed mainly
for own
consumption.
Added by:
L.N. 416 of 2014.

4A. In the case of electricity generated exclusively by roof-mounted solar photovoltaic installations constructed mainly for own consumption and where the installation operator does not benefit from any feed-in tariff under these regulations, the rate to be paid for any surplus electricity generated on site but not consumed and supplied to the distribution system operator shall be the marginal cost of electricity under the Fourth Schedule:

Provided that:

- (a) the installation operator may not avail himself of the benefits under regulation 12(1)(e) and (f); and
- (b) in the case of an extension to the capacity of a roof-mounted solar photovoltaic installation installed in terms of regulation 4A, the rate paid for the surplus electricity generated on site but not consumed and supplied to the distribution system operator shall be the marginal cost under the Fourth Schedule; and
- (c) roof-mounted solar photovoltaic installations installed in terms of this regulation shall not be installed as an extension to an existing solar photovoltaic installation already benefitting from a feed-in tariff under these regulations.

Commencement
and duration of
feed-in tariff
payment.
Amended by:
XXXIV. 2014.56.

5. (1) The feed-in tariffs shall be due from the time when the solar photovoltaic installation is first connected to the distribution system as provided in regulation 3 and produces electricity exclusively from the solar photovoltaic installation and, or for those solar photovoltaic installations commissioned prior to the entry into force of these regulations and where the installation operator has opted for either of the arrangements in accordance with regulation 4(1)(b), from the date of the necessary modifications to the installation connection effected by the distribution system operator which would permit the arrangements in regulation 4(1)(b).

(2) The feed-in tariffs shall be paid for the period of guaranteed payment of the feed-in tariff referred to in the Second Schedule depending upon the applicable solar photovoltaic installation's location and the type of premises wherein it is installed.

(3) In the case of solar photovoltaic installations commissioned prior to the entry into force of these regulations and where the installation operator opts to sell all electricity generated from the solar photovoltaic installation to the distribution system operator in accordance with the provisions of regulation 4(1)(b), the period of guaranteed payment of the feed in tariff referred to in the Second Schedule shall include the period of time during which the installation operator has already benefited from net metering and spill off tariff arrangements prior to the entry into force of these regulations:

Provided that in the case where the installation operator expands the existing capacity of the solar photovoltaic installation, the period of guaranteed payment of the feed-in tariff applicable for the entire installation after such expansion shall be considered as

commencing from the date of installation of the metering equipment by the distribution system operator to enable the net metering arrangement for the original installation.

(4) Where any person replaces or increases the capacity of the solar photovoltaic installation in whole or in part, the installation operator shall not be entitled to the re-commencement or extension of the period of guaranteed payment of the feed-in tariff:

Provided that the same terms and conditions applicable for that period of guaranteed payment of the feed-in tariff shall subsist.

(5) The feed-in tariff shall only be applicable up to the extent of and for the total amount of electricity exported to the distribution system by the solar photovoltaic installation as approved by the Authority and as measured by the distribution system operator metering equipment.

6. The feed-in tariff to be paid by the distribution system operator to installation operators for electricity generated by solar photovoltaic installations in accordance with regulation 3 shall be as established in the Second Schedule. The feed-in tariffs shall be deemed to be inclusive of any compensation for loss of revenue arising from any planned and unplanned interruption which impedes the export of electricity from the solar photovoltaic installation to the distribution system:

Feed-in tariff.
Amended by:
XXXIV. 2014.56.

Provided that any electricity generated by the solar photovoltaic installations and exported to the distribution system in excess of the thresholds established in the Second Schedule shall be paid at the applicable electricity rate as established in the Fourth Schedule:

Provided further that in the case where the installation operator benefits or has benefited from a grant of more than 50% of the initial capital investment with regard to the solar photovoltaic installation, the feed-in tariff that shall be paid by the distribution system operator shall decrease by €0.002 per kWh for every 1% exceeding the aforementioned 50% of the initial capital investment received as part of the grant:

Provided also that the feed in tariff shall not be less than the marginal cost per unit incurred by the distribution system operator as established in the Fourth Schedule.

7. (1) The total maximum electricity generated by solar photovoltaic installations and exported to the distribution system which shall be eligible to be paid the feed-in tariff for each annual FIT scheme and after the entry into force of these regulations shall be that established in the Third Schedule.

Maximum
electricity exported
in FIT scheme.

(2) The maximum electricity generated by solar photovoltaic installations and exported to the distribution system established in the Third Schedule shall be composed of electricity generated and exported to the distribution system by:

- (a) solar photovoltaic installations approved by the Authority during the year for which the thresholds for electricity generated and exported to the distribution

has been established; and

- (b) solar photovoltaic installations approved by the Authority, commissioned prior to the entry into force of these regulations, and where the installation operators during the year in which the thresholds for electricity generated and exported to the distribution has been established have opted for either of the options in regulation 4(1)(b).

Setting off
payment claims.
Amended by:
XXXIV. 2014.56.

8. (1) The distribution system operator may set off amounts due by an installation operator for the supply of electricity against amounts due to the installation operator for the exporting of electricity under these regulations:

Provided that such setting off shall only be permissible where the claims are undisputed or are certain, liquidated and due:

Provided further that in the case of solar photovoltaic installations with an installed capacity of more than 100kWp, such set-off shall only apply by agreement of both the distribution system operator and the installation operator.

(2) Where a set-off arrangement between the installation operator and the distribution system operator is in place and the amounts due to the installation operator for the exporting of electricity referred to in sub-regulation (1) are in excess of the amounts due by an installation operator for the supply of electricity by the distribution system operator, the distribution system operator shall credit the installation operator the balance due by means of a credit note:

Provided that the installation operator may request to be paid the balance due by means of such credit note after four consecutive scheduled billing periods for the supply of electricity by the distribution system operator to the installation operator have elapsed.

(3) Where the installation capacity is larger than 100kWp and no set-off agreement exists between the installation operator and the distribution system operator and the amounts due to the installation operator for the exporting of electricity are in excess of the amounts due by an installation operator for the supply of electricity by the distribution system operator, the distribution system operator shall credit the installation operator the balance due, which shall be paid to the installation operator within sixty days from the scheduled reading of the metering equipment:

Provided that the distribution system operator shall carry out the reading of the metering equipment within intervals of at least two months, to be reckoned as from the date of the first reading of the metering equipment.

9. (1) Following the expiry of the period of guaranteed payment of the feed-in tariff, the installation operator may opt and by written notice to the distribution system operator request it to effect the necessary modification to the solar photovoltaic installation connection to the distribution system to enable the installation operator to utilise the electricity generated from the solar photovoltaic installation for his own use within his premises and to be compensated for any exported electricity at the applicable rate for such electricity at the time as provided in the Fourth Schedule and subject to regulation 4(7):

Sale of electricity after the expiry of the period of guaranteed payment of the feed-in tariff.
Amended by:
XXXIV. 2014.56.

Provided that the distribution system operator shall accede to the installation operator's request after effecting the necessary modifications to the solar photovoltaic installation connection to the distribution system.

(2) Any installation operator who opts for such arrangements as established in sub-regulation (1) shall bear the costs of any modifications necessary including those related to the metering and connection required by the distribution system operator.

(3) Where the installation operator does not inform the distribution system operator to effect the necessary modification to the solar photovoltaic installation connection as provided in sub-regulation (1), the distribution system operator shall continue to purchase all the electricity generated by the solar photovoltaic installation and exported to the distribution system, and shall reimburse the installation operator for such electricity at the rate established in the Fourth Schedule.

10. Installation operators shall:

- (a) submit such information as the Authority may reasonably require;
- (b) inform the Authority and the distribution system operator, in the form and manner they may reasonable require, if the solar photovoltaic installation is disconnected or transferred, sold or in any form modified in such a way as to degrade its performance during the period of guaranteed payment of the feed-in tariff established in terms of these regulations;
- (c) comply at all times with the provisions of the applicable legislation, notification, authorisation, licence conditions and Network Code as approved by the Authority;
- (d) make available to the distribution system operator and to the Authority data required to be recorded for the purposes of these regulations.

Obligations of installation operators.
Amended by:
XXXIV. 2014.56.

11. Where an installation operator is deceased, or by reason of any other act or event, permanently ceases to be the installation operator, payment of the feed-in tariffs for electricity generated by solar photovoltaic installation under these regulations for the remaining period of guaranteed payment of the feed-in tariff may be transferable to the new installation owner:

Succession and transferability of obligations and benefits under the FIT scheme.
Amended by:
XXXIV. 2014.56.

Provided that:

- (a) the new installation operator informs the distribution system operator and the Authority of such change in ownership in such form and manner as they may establish, together with any documentary proof and information that they may establish for such purposes;
- (b) the new installation operator takes over all obligations held by the previous installation operator;
- (c) such person shall not be considered by the distribution system operator and the Authority as a new installation operator if such installation operator is not in compliance with any other law, permit or any requirement in relation to the solar photovoltaic installation.

Change of use of premises.
Amended nby:
XXXIV. 2014.56;
L.N. 416 of 2014.

12. (1) In the case of modifications relevant to the solar photovoltaic installation arising from -

- (a) change of use of the premises where the solar photovoltaic installation is located;
- (b) change of account holder;
- (c) transfer of solar photovoltaic installation to another different premises with same use;
- (d) transfer of solar photovoltaic installation to another different premises with different use;
- (e) change of feed-in tariff option from "sell all electricity generated" to "generate electricity primarily for own use" or vice versa;
- (f) change in location of solar photovoltaic installation from roof-mounted to ground-mounted or vice versa,

the feed-in tariff shall change as applicable and in accordance with the feed-in tariff scheme in force during the year when the solar photovoltaic installation was first approved a feed-in tariff:

Provided that when the change occurs during the period of guaranteed payment of the feed-in tariff, such period shall include the time for which the installation operator has already benefited from a feed in-tariff.

(2) Subject to the satisfaction of the eligibility criteria established in the First Schedule, in the case where an installation operator increases the generation capacity of a solar photovoltaic installation which is connected to the distribution system, the feed-in tariff to be paid by the distribution system operator and the period for guaranteed payment of the feed-in tariff shall be that which is applicable during the year when such increased capacity is notified to or when an application is submitted to the Authority for an authorisation to construct such increased capacity, and such feed-in tariff shall be payable in respect of the whole solar photovoltaic installation as increased in capacity:

Provided that in such cases the period for guaranteed payment of the feed-in tariff shall include the time for which the

installation operator has already benefited from a feed in-tariff:

Provided further that where the installation operator has benefited from a grant on any part of the solar photovoltaic installation, the whole solar photovoltaic installation shall be deemed as benefitting from the grant for the purpose of determining the feed-in tariff applicable for the whole solar photovoltaic installation.

(3) The changes listed in sub-regulations (1) and (2) shall become applicable for the payment of the feed-in tariff from the date of the first meter reading taken after the date of submission of an application to the distribution system operator to approve and take the necessary action:

Provided that during the first year of applicability for the payment of the feed-in tariff the change shall be taken into consideration on a *pro rata* basis.

13. Installation operators shall not be entitled to any tradable green certificate for electricity generated from the solar photovoltaic installation and for which the feed-in tariff is paid or for which the installation operator enjoys a net metering arrangement with a spill-off tariff or benefits from any of the arrangements provided in regulation 9.

Tradeable green certificates.

14. The provisions dealing with access, inspection, modification or tampering of meters found in the Electricity Supply Regulations shall *mutatis mutandis* apply to solar photovoltaic installation operators in the same manner as provided for in those regulations.

Access, inspection, etc. of metering equipment.
S.L. 423.01

15. On the coming into force of these regulations, any reference, in any legislation, to the Feed-in Tariffs (Electricity Generated from Solar Photovoltaic Installations) Regulations, 2010 (revoked by these Regulations) shall be construed as a reference to these regulations.

Reference to regulations.

*Amended by:
L.N. 155 of 2014;
XXXIV. 2014.56.*

FIRST SCHEDULE

(Regulation 4)

Eligibility Criteria to participate in FIT scheme

Eligibility Criteria:

The electricity generated by a solar photovoltaic installation and exported to the distribution system is eligible to be paid at the established feed-in tariff rate determined by these regulations subject to the following criteria being satisfied:

1. The electricity is exclusively generated using solar radiation from solar photovoltaic installations which are approved by the Authority.
 2. The electricity generated by the solar photovoltaic installation and exported to the distribution system is within the thresholds specified in the Second Schedule.
 3. The solar photovoltaic installation has been approved by the Authority for participation in the FIT scheme during the year for which the applicable feed-in tariff is established. In the case of a solar photovoltaic installation mentioned in regulation 4(1), the submission date of a request to participate in the FIT scheme shall be considered in the determination of eligibility for the FIT scheme. In the case of a solar photovoltaic installation mentioned in regulation 4(2), the submission date of the notification or application for authorisation (as applicable) together with the request to participate in the FIT scheme, shall be considered in the determination of eligibility for the FIT scheme.
 4. A solar photovoltaic installation shall be considered as eligible for participation in the FIT scheme if the amount proposed for export to the distribution system may be accommodated within the total maximum of electricity generated by solar photovoltaic installations eligible to benefit from the FIT scheme for the applicable year as determined in regulation 7 and in the Third Schedule. Participation to the FIT scheme shall be determined on a first-come first-served basis and each kWp installed shall be attributed a generation of 1600kWh.
 5. The solar photovoltaic installation is notified to or authorised by the Authority in accordance with any applicable legislation.
 6. The solar photovoltaic installation is commissioned and an application to connect the installation to the distribution system has been submitted to the distribution system operator at least within 12 months from the date of -
 - a. notification to the Authority of the solar photovoltaic installation, or
 - b. authorisation granted by the Authority to construct the solar photovoltaic installation.
 7. The installation operator complies at all times with the obligations established in these regulations, the Network Code and all other applicable legislation.
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SECOND SCHEDULE
(Regulations 3, 5, 6)

*Amended by:
L.N. 271 of 2013;
L.N. 7 of 2014;
L.N. 155 of 2014;
XXXIV. 2014.56;
L.N. 416 of 2014.*

1. In the case of electricity generated exclusively from solar photovoltaic installations -

- (a) when an application for the FIT scheme, meeting all the requirements, was submitted and approved by the Authority for the periods of time referred to in Table A; and
- (b) installed on any type of premises in Malta and Gozo in accordance with regulation 3; and
- (c) exported to the distribution system up to an annual threshold calculated as kWp multiplied by 1600kWh; and
- (d) for a period of guaranteed payment of feed-in tariff of twenty years;
- (e) where an application to benefit the solar photovoltaic installation with a grant has not been made or the solar photovoltaic installation has not benefited from a grant on the initial capital investment, the feed-in tariff to be paid by the distribution system operator to an installation operator for electricity generated from solar photovoltaic installations and supplied to the distribution system operator shall be in accordance with the amounts per kWh, solar photovoltaic installation's individual capacity limits and maximum units allocated per annum for payment of each feed-in tariff as established in Table A as follows:

Table A: Caps and Feed-in Tariffs applicable for solar photovoltaic installations approved under the FIT scheme					
Installation location	Capacity of solar photovoltaic installation	Feed-in Tariffs applicable between the 1 st of November 2014 until the 30 th April 2015	Maximum units allocated per annum for FIT payment to PV systems approved under this FIT scheme between the 1 st November 2014 until the 30 th April 2015	Feed-in Tariffs applicable between the 1 st December 2014 until the 30 th April 2015	Maximum units allocated per annum for FIT payment to PV systems approved under this FIT scheme between the 1 st December 2014 and the 30 th April 2015
Roof Mounted	<40kWp	15.5 cents per kWh	6,400,000 kWh per annum (4MWp)	Not applicable	Not applicable
Roof Mounted	=>40kWp and <1MWp	Not applicable	Not applicable	15 cents per kWh	9,600,000kWh per annum (6MWp)

In line with the first-come-first served principle, the Authority reserves the right to stop accepting applications for a feed-in tariff if, in its opinion, it has received

sufficient applications which reach the total maximum units allocated for FIT payment to PV systems in terms of Table A and following publication of a notice to that effect in the web-site of the Authority.

The receipt of any application by the Authority which may not be allocated a feed-in tariff should not be construed as an acceptance or approval thereof and does not in any manner whatsoever give rise to any obligation on the part of the Authority to allocate a feed in tariff to the applicant.

Applications received under previous schemes are not eligible under the FIT scheme in Table A. Such applications have to be re-submitted to the Authority for approval, if applicable.

2. For the purposes of the First Schedule and this Schedule, "kWp" shall mean the total DC peak power of an array or arrays of photovoltaic modules as specified in the notification or authorisation application submitted to the Authority for its approval under the Electricity Market Regulations (S.L. 423.22).

3. Electricity sold to the distribution system operator and measured in kVAh shall be paid at the applicable feed-in tariff as that applied for electricity sold to the distribution system operator and measured in kWh.

4. In the case of electricity generated exclusively by solar photovoltaic installations -

- (a) approved for the FIT scheme for the year 2013 and until the 30th April 2015; and
- (b) installed on residential or domestic premises in accordance with regulation 3; and
- (c) exported to the distribution system up to an annual threshold calculated as kWp multiplied by 1600kWh; and
- (d) where the installation operator benefits from a grant of not more than 50% of the initial capital investment with regard to the solar photovoltaic installation,

the feed-in tariff to be paid by the distribution system operator to an installation operator for electricity generated from solar photovoltaic installations and supplied to the distribution system operator shall amount to twenty-two cents per kWh for a period of guaranteed payment of the feed-in tariff of six years for electricity generated from solar photovoltaic installations located in Malta and Gozo.

5. In the case of electricity generated exclusively by solar photovoltaic installations -

- (a) when an application for the FIT scheme, meeting all the requirements, was submitted and approved by MRA between the 1st July 2013 and the 30th April 2015; and
- (b) installed on non-residential premises or institutional households in Malta and Gozo in accordance with regulation 3; and
- (c) exported to the distribution system up to an annual threshold calculated as kWp multiplied by 1600kWh; and
- (d) where the installation operator has been awarded a grant before the 1st July 2013 of not more than 50% of the initial capital investment with regard to the solar photovoltaic installation,

the feed-in tariff to be paid by the distribution system operator to an installation operator for electricity generated from solar photovoltaic installations and supplied

to the distribution system operator and installed on non-residential or institutional households premises shall amount to 15 cents per kWh for a period of guaranteed payment of the feed-in tariff of 7 years.

6. In the case of electricity generated exclusively by solar photovoltaic installations -

- (a) when an application for the FIT scheme, meeting all the requirements, was submitted and approved by MRA between the 1st July 2013 and the 30th April 2015; and
- (b) installed on non-residential premises or institutional households in Malta and Gozo in accordance with regulation 3; and
- (c) exported to the distribution system up to an annual threshold calculated as kWp multiplied by 1600kWh; and
- (d) where the installation operator has benefitted from a grant after the 30th June 2013 of not more than 50% of the initial capital investment with regard to the solar photovoltaic installation,

the feed-in tariff to be paid by the distribution system operator to an installation operator for electricity generated from solar photovoltaic installations and supplied to the distribution system operator and installed on non-residential or institutional households premises shall amount to 11 cents per kWh for a period of guaranteed payment of the feed-in tariff of 7 years.

THIRD SCHEDULE
(Regulation 7)

*Substituted by:
L.N. 155 of 2014.
Amended by:
XXXIV. 2014.56.*

Total maximum electricity that may be generated and sold to the distribution system operator from solar photovoltaic installations approved to benefit from the FIT scheme for the years 2010 to 2014 shall amount to 148,000,000 kWh.

FOURTH SCHEDULE
(Regulations 6, 9)

*Amended by:
L.N. 155 of 2014;
XXXIV. 2014.56.*

Electricity rate per kWh applicable for electricity generated by the solar photovoltaic installation and exported to the distribution system after the expiry of the period of guaranteed payment of the feed in tariff or where the thresholds for the eligibility of the FIT are exceeded.

The electricity rate per kWh referred to in regulations 6 and 9 that shall be paid by the distribution system operator to the installation operator for any electricity generated by the solar photovoltaic installation and exported to the distribution system for each year after period of guaranteed payment of the feed-in tariff referred to in the Second Schedule or at any time when in excess of the thresholds defined in the Second Schedule shall amount to the marginal cost per unit of electricity incurred by the distribution system operator for the particular year as approved by

the Authority.

The Authority may define which cost items may be considered in the determination of the marginal cost per unit of electricity incurred by the distribution system operator.

The marginal cost per unit for the year 2014 shall be of eleven cents (€0.11) per kWh.
