

Tax & Legal Alert

ROMANIA 4 September 2008

Governmental Ordinance no. 22/20.08.2008 regarding energy efficiency and promotion of the use of renewable energy resources by end-consumers

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Governmental Ordinance no. 22/20.08.2008 regarding energy efficiency and promotion of the use of renewable energy resources by end-consumers has been published (the "Ordinance").

The aim of the Ordinance is the establishment of the legal framework for drafting and implementing the national policy in energy efficiency.

The beneficiaries of the Ordinance are: suppliers of energy services, through which measurements for the improvement of energy efficiency are attained, distribution system operators, energy sector retail companies, end-consumers and the military, with the exception of materials used for military purposes.

Economic operators that annually consume an energy quantity exceeding the equivalent of 1,000 tonnes of petroleum, are obliged to:

- annually perform an energy audit conducted by a natural or legal person, authorised by the Romanian Agency for Conservation of Energy ("RACE");
- develop energy efficiency programmes;
- appoint an energy manager authorised by RACE or conclude a management agreement with an accredited natural or legal person that provides energy services.

Economic operators that annually consume an amount of energy between 200 and 1,000 tonnes equivalent in petroleum, are obliged to elaborate an energy audit every two years, conducted by a natural or legal person authorised by RACE.

RACE is the specialist authority contributing to setting up the energy efficiency policy and is responsible at a national level for the implementation and monitoring of this policy.

The Ordinance regulates financial and fiscal incentives for the improvement of energy efficiency and promotion of the use of renewable energy resources by end-consumers in observance with state aid legislation.

[Source: Romanian Official Gazette no. 628/29.VIII.2008, part I]

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