



**GOVERNMENT OF THE REPUBLIC OF SERBIA**

**Negotiating position of the Republic of Serbia for the Intergovernmental  
conference on the accession of the Republic of Serbia to the European Union  
for Chapter 15 “Energy”**

Belgrade, June 2021

## **I. INTRODUCTORY DECLARATION**

The Republic of Serbia accepts the EU acquis on Chapter 15 "Energy" and will be in a position to fully implement them until accession, as they read on January 1, 2021. The Republic of Serbia will implement the remaining acquis communautaire, i.e. acquis adopted after January 1, 2021, until EU accession, in line with the results of the negotiations in this chapter.

The Republic of Serbia requires specific adjustments in this chapter which are defined in Part IV of the Negotiating position.

## **II. EXISTING LEGISLATIVE AND INSTITUTIONAL FRAMEWORK**

Chapter 15 "Energy" covers the following areas: General (a); Hydrocarbons (b); Internal energy market (c); Security of supply (d); Renewable energy sources (e); Energy efficiency (f); International agreements (g); Nuclear energy (h); Euratom: Community, Treaty, Council Directive 2009/71/Euratom of 25 June 2009 on the nuclear safety of nuclear installations and accession to international conventions (i); Radiation protection (j); Radioactive waste and spent fuel management (k); Application of safeguards (l); Fuel supply (m).

### **II.1. Legislative framework**

#### **II 1.a. General**

Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the management of the Energy Community and Climate Action, amending Regulation (EC) no. 663/2009 and (EC) no. 715/2009 of the European Parliament and of the Council, Directive 94/22 /EC, 98/70 / EC, 2009/31/EC, 2009/73/EC, 2010/31/EU, 2012/27/ EU and 2013/30/EU of the European Parliament and of the Council, Council Directives 2009/119/EC and (EU) 2015/652 and repealing Regulation (EU) no. 525/2013 of the European Parliament and of the Council.

This Regulation has been partially transposed into the Law on Amendments to the Law on Energy (Official Gazette of RS, No. 40/21) which defines the legal framework for the development of the Integrated National Energy and Climate Plan as well as for reporting on the implementation of this plan. The drafting of a bylaw has also been defined, and the bylaw will define the manner of preparing and reporting regarding the Integrated National Energy and Climate Plan. This bylaw will be consistent with non legislative acts, such as implementing or delegated acts, adopted by the Union under Regulation (EU) 2018/1999, regards structure, format, technical details or process for reporting under that Regulation.

The Law on Climate Change (Official Gazette of RS No. 26/21) provides the basis for the development of the Low Carbon Development Strategy with Action Plan, Climate Change Adaptation Program; establishment of a system for monitoring and reporting on national greenhouse gas emissions, development of projections of greenhouse gas emissions from sources and removals by sinks and establishment of a system for reporting on policies, measures and

projections of greenhouse gases in line with the requirements of the UN Framework Convention on Climate Change and its Paris Agreement.

## **II 1.b. Hydrocarbons**

Regulation (EU) 2964/95 of 20 December 1995 introducing registration for crude oil imports and deliveries in the Community.

Commission Decision 1999/280/EC regarding a Community procedure for information and consultation on crude oil supply costs and the consumer prices of petroleum products.

The legislative framework in the part of hydrocarbons consists of the Law on Energy, the Law on Mining and Geological Exploration and the Law on Commodity Reserves, as well as sub-legal acts Rulebook on deadlines, content and manner of submitting data on procurement and sale of oil, petroleum products, biofuels and compressed natural gas (Official Gazette of RS, No. 35/19).

Regulation (EU) 2964/95 of 20 December 1995 on the register of imports of crude oil and deliveries to the Community and Commission Decision 1999/280/EC, Community procedure for information and consultation on crude oil supply costs and the consumer prices of petroleum products were largely transferred through the Law on Energy and the Rulebook on deadlines, content and manner of submitting data on supply and sale of oil, petroleum products, biofuels and compressed natural gas (Official Gazette of RS, No. 35/19).

The Energy Law stipulates that energy entities engaged in the production and trade of oil, petroleum products, biofuels and compressed natural gas and trade in motor and other fuels at filling stations are obliged to submit to the Ministry data on the supply and sale of oil, petroleum products, biofuels and compressed natural gas related to quantity, origin, price and quality, data on prices of petroleum products and biofuel, with and without excise duties and taxes and other data, as well as that the ministry prescribes deadlines, content and manner of submitting such data.

Rulebook on deadlines, content and manner of submitting data on supply and sale of oil, petroleum products, biofuels and compressed natural gas prescribes the deadlines, content and manner of submitting data by energy entities engaged in the production and trade of oil, petroleum products, biofuels and compressed natural gas and trade in motor and other fuels at filling stations.

Directive 2009/119/EC of 14 September 2009 imposing an obligation on Member States to maintain minimum stocks of crude oil and/or petroleum products and its amendment of 19 October 2018 (Commission Implementing Directive (EU) 2018/1581) as regards the methods for calculating stockholding obligation.

The Directives have been largely transposed into national legislation through the adoption of the following acts:

Law on Commodity Reserves (Official Gazette of RS, No. 104/13 and 145/14-other law) which in a special chapter regulates the formation and use of mandatory reserves of oil and petroleum products in case of disruption in energy and energy generating product supply;

Law on Energy (Official Gazette of RS, No. 145/14) which prescribes that the Directorate for Emergency Oil Stock be formed to perform activities related to required reserves;

In accordance with the Law on Commodity Reserves, the following bylaws were adopted:

- Decree on the methodology of data collection and processing and calculation of average daily net imports, average daily consumption and the amount of required reserves of oil and petroleum products (Official Gazette of RS, No. 108/14). This Decree prescribes in more detail the manner, procedures and deadlines for calculating the average daily net import of oil and petroleum products, their average daily consumption and the amount of reserves kept;

- Decree on the amount, manner of calculation, payment and use of the fee for the formation of emergency oil stocks (Official Gazette of RS, no. 108/14 and 53/15). To finance the formation of emergency oil stocks, a fee was introduced which is an integral part of the retail price of petroleum products and is a revenue of the budget of the Republic of Serbia;

- Rulebook on keeping the register of emergency oil stocks and compiling monthly statistical reports on the quantity, quality, structure and distribution of obligatory and other reserves of oil and petroleum products (Official Gazette of RS, No. 38/15);

- Long-term plan for formation and maintenance of obligatory reserves for a period of 10 calendar years and Medium-term plan for formation and maintenance of required reserves for a period of 3 years.

- Decree on the procurement plan and criteria for the formation of emergency oil stocks (Official Gazette of RS, No. 50/15 and 50/16). The obligation to keep emergency oil stocks for the current year is adjusted in terms of forming reserves in relation to the previous year no later than April 1 of the current year and is valid until March 31 of the following year at the latest;

- Rulebook on determining the Annual Program for the formation and maintenance of emergency oil stocks for each year starting from 2015 to 2021. (Rulebook adopted by the Minister of Mining and Energy);

- Decree on the methodology for determining the storage price for keeping the emergency oil stocks in state - owned warehouses (Official Gazette of RS, No. 4/17). This Decree determines the Methodology for determining the price of the service of storage of emergency oil stocks, which is paid to energy entities that use publicly owned reservoirs, i.e. the National Directorate for Emergency Oil Stocks;

- Technical conditions for storage of emergency oil stocks (Fig. Official Gazette of RS no. 47/17). Prescribes the manner of forming the price of the service of storage of emergency oil stocks, which is paid to energy entities that do not use reservoirs in public ownership;

- Decree on determining the Program of measures in case of a jeopardized security of energy and energy-generating products - Crisis plan (Fig. Official Gazette of RS no. 63/19) contains procedures and criteria for determining supply disruptions, competencies and responsibilities for the purpose of eliminating supply disruptions, and procedures for normalization of supply in the market of the Republic of Serbia. The Program also includes actions in case of an international decision on placing obligatory reserves on the market.

Directive no. 94/22/EC of the European Parliament and of the Council on the conditions for granting and using authorizations for the prospection, exploration and production of hydrocarbons, has been partially transposed into national legislation.

The current Law on Mining and Geological Exploration (Official Gazette of RS, No. 101/2015 and 95/2018 - other law and 40/21) through the provisions of Articles 54-57 defines the procedure for issuing permits for exploration of hydrocarbons in liquid and gaseous state.

Directive 2013/30/EC of the European Parliament and of the Council of 12 June 2013 on safety of offshore oil and gas operations, more precisely the provisions of its Articles 20-22 relating to the field of geological exploration and mining have been fully transposed by the adoption of the Rulebook on the content, form and manner of submitting the annual operational plan and annual business report (Official Gazette of RS, No. 7/19). The Rulebook prescribes the recording of data on the circumstances of each major accident involving oil and gas exploitation operators, registered in the territory of the Republic of Serbia for oil and gas exploitation and/or exploration, and themselves or through legal entities entrusted with the performance of activities, perform exploration and/or exploitation of oil and gas of underwater deposits outside the territory of the European Union, in GIP forms number 3.

## **II 1.c. Internal Energy Market**

Directive 2009/73/EC concerning common rules for the internal market in natural gas and repealing Directive 2003/55/EC.

The legislative framework in the part of the internal energy market consists of the Law on Energy and its bylaws: Decree on conditions for delivery of natural gas (Official Gazette of RS, no. 47/2006, 3/2010 Art.7-11) and 48/2010), Decree on energy vulnerable customer Official Gazette of RS, no. 113/15 and 59/18), Decree on the application of tariffs for the calculation of the price of access to the electricity distribution system (Official Gazette of RS, No. 65/15), Rulebook on conditions, program and manner of taking the professional exam for performing work in facilities for production, transmission and distribution of electricity (Official Gazette of RS, no. 24/15 and 35/19), Rulebook on license for performing energy activity and certification to the buyer (Official Gazette of RS, No. 87/15), Rulebook on energy permit (Official Gazette of RS, No. 15/15), Rulebook on conditions for exemption, content of the application for exemption and content of the act for exemption (Official Gazette RS, No. 11/18), Rulebook on conditions, program and manner of taking the professional exam for performing activities in facilities for transmission, distribution and storage of natural gas (Official Gazette of RS, No. 10/16), Rulebook on determining the harmonized amounts of total monthly household income, as conditions for acquiring the status of energy vulnerable customer (Official Gazette of RS, no. 144/20) Rules on change of supplier (Official Gazette of RS, no. 65/15 and 10/17), Rulebook on the manner of conducting the procedure and introducing measures and keeping the register of the measures (Official Gazette of RS, No. 35/16), Methodology for determining the price of access to the natural gas transport system (Official Gazette of RS, No. 93/12, 123/12, 5/14, 116/14, 30/15, 62/16, 111/17 and 4/19), Methodology for determining the price of access to the natural gas distribution system (Official Gazette of RS, no. 105/16, 29/17), Methodology for determining the price of natural gas for public supply (Official Gazette of RS, no. 75/14, 105/16, 108/16 correction, 29/17), Methodology for determining the price of access to the natural gas storage, (Official Gazette of RS, no. 143/14, 4/16, 4/19), Rules on monitoring technical and commercial indicators and regulating the quality of delivery and supply of electricity and natural gas (Official Gazette of RS, No. 2/14), rules on the operation of the transmission system of natural gas and rules on the operation of the natural gas distribution system. Also, the legislative framework consists of the Law on Consumer Protection (Official Gazette of RS, no. 62/14, 6/16 and 44/18) and the Law on Protection of Competition (Official Gazette of RS, no. 51/09, and 95/13).

Directive 2009/73/EC was fully transposed through the Law on Energy (Official Gazette of RS, no. 145/14 and 95/18 - other law) and sub-legal acts under this law, as follows: Decree on conditions for delivery of natural gas (Official Gazette of RS, no. 47/2006, 3/2010 Art.7-11) and 48/2010), Decree on energy vulnerable customer (Official Gazette of RS, no. 113/15 and 59/18), the Rulebook on the license for performing energy activities and certification to the customer (Official Gazette of RS, No. 87/15), the Rulebook on energy permit (Official Gazette of RS, No. 15/15), the Rulebook on the conditions for exemption, the content of the application for exemption and the content of the act for exemption (Official Gazette of RS, No. 11/18), the Rulebook on determining the harmonized amounts of total monthly household income, as conditions for acquiring the status of energy vulnerable customer (Official Gazette of RS, No. 144/20), Rulebook on the manner of conducting the procedure and introducing measures and keeping the register of the measures (Official Gazette of RS, No. 35/16), Methodology for determining the price of natural gas for public supply, (Official Gazette of RS, no. 75/14, 105/16, 108/16 correction, 29/17), Rules on change of supplier (Official Gazette of RS, no. 65/15) as well as the Decision on the manner, procedure and deadlines for keeping accounting records, conducting separation of accounts by activities and delivery of data and documentation for regulatory purposes and the Decision on the procedure for exercising the right of the end customer to access data on own electricity and natural gas consumption (the decision was published on the Agency's website on 28 July 2016).

Regulation number 715/2009 on conditions for access to natural gas transmission networks, on the basis of which Regulation no. 1775/2005 is repealed.

Regulation number 715/2009 was transposed in full through the Law on Energy (Official Gazette of RS, no. 145/14 and 95/18 - other law) and sub-legal acts under this law: Methodology for determining the price of access to the system for transport of natural gas (Official Gazette of RS, no. 93/12, 123/12, 5/14, 116/14, 30/15, 62/16, 111/17 and 4/19), Methodology for determining the price of access to the natural gas distribution system (Official Gazette of RS, no. 105/16, 29/17), Methodology for determining the price of access to the natural gas storage (Official Gazette of RS, no. 143/14, 4/16, 4/19), Rules on monitoring technical and commercial indicators and regulating the quality of delivery and supply of electricity and natural gas (Official Gazette of RS, No. 2/14), rules on the operation of the transmission system of natural gas and rules on the operation of the natural gas distribution system.

EU Regulation 1227/2011 on wholesale energy market integrity and transparency was partially transposed into the legislation of the Republic of Serbia by the adoption of the Law on Amendments to the Law on Energy (Official Gazette of RS, no. 40/21). The adoption of the Law on Amendments to the Law on Energy created the legal basis for further transposition of EU Regulation 1227/2011. These amendments stipulate the obligation of the Energy Agency to adopt Rules on the Prevention of Abuse in the Electricity and Natural Gas Market, which, among other things, regulate in detail the conditions for registration of participants in the wholesale energy market, conditions for publishing of insider information, the ban on insider information trade, the ban on market manipulation, type, content, form, manner and deadlines of data creation and publication, data protection, trade secret and operational responsibility, obligation of persons who professionally regulate transactions, in accordance with the obligations of the

Republic of Serbia undertaken by ratified international agreements. There is also an obligation for the Agency to conduct procedures and adopt acts in accordance with the Rules on Prevention of Abuse in the Electricity and Natural Gas Market.

EU Regulation no. 347/2013 of the European Parliament and of the Council of 17 April 2013 on guidelines for trans-European energy infrastructure and repealing Decision No 1364/2006/EC and amending Regulation (EC) no. 713/2009, (EC) no. 714/2009 and (EC) no. 715/2009.

EU Regulation no. 347/2013 was transposed into the legislation of the Republic of Serbia by the Decree on determining the Program for the Implementation of the Energy Development Strategy of the Republic of Serbia until 2025 with projections until 2030, for the period from 2017 to 2023 (Official Gazette of RS, no. 104/17) and Law on Amendments to the Law on Energy (Official Gazette of RS, no. 40/21).

EU Commission Regulation 2015/703 of 30 April 2015 establishing a network code on interoperability and data exchange rules; EU Commission Regulation 2017/459 of 16 March 2017 establishing a network code on capacity allocation mechanisms in gas transmission systems; EU Commission Regulation 2017/460 of 16 March 2017 establishing a network code on harmonized transmission tariff structures for gas; EU Commission Regulation 312/2014 of 26 March 2014 on the establishment of network code for balancing transport networks.

EU Commission Regulations 2015/703, EU 2017/459, EU 2017/460 and EU 312/2014 were partially transposed into the legislation of the Republic of Serbia through the adoption the Law on Amendments to the Law on Energy (Official Gazette of RS, no. 40/21).

Directive 2009/72 of 13 July 2009 concerning common rules for the internal market in electricity and repealing Directive 2003/54/EC

Directive 2009/72/EC was fully transposed through the Law on Energy (Official Gazette of RS, no. 145/14 and 95/18 - other law) and sub-legal acts under this law.

The legislative framework in the part of the internal energy market consists of the Law on Energy and its bylaws: Decree on the conditions of supply and distribution of electricity (Official Gazette of RS, No. 63/13 and 91/18), Decree on energy vulnerable customer (Official Gazette of RS, no. 113/15 and 59/18), Rulebook on energy permit (Official Gazette of RS, No. 15/15), Rulebook on determining the harmonized amounts of total monthly household income, as a condition for acquiring the status of energy vulnerable customer (Official Gazette of RS, No. 144/20) Rules on the change of supplier (Official Gazette of RS, no. 65/15), Rulebook on the manner of conducting the procedure and introducing measures and keeping the register of the measures introduced (Official Gazette of RS, No. 35/16), Methodology for determining the prices of access to the electricity transmission system, (Official Gazette of RS, no. 93/12, 123/12, 116/14, 109/15, 98/16, 99/18, 4/19), Methodology for determining the prices of access to the electricity distribution system (Official Gazette of RS, no. 105/12, 84/13, 87/13, 143/14, 65/15, 109/15, 98/16, 99/18), Methodology for determining the price of electricity for guaranteed supply (Official Gazette of RS, no. 84/14, 109/15, 105/16, 79/17, 99/18), Rules on monitoring

technical and commercial indicators and regulating the quality of supply and distribution of electricity and natural gas (Official Gazette of RS, no. 2/14), Methodology for determining the costs of connection to the system for transmission and distribution of electricity (Official Gazette of RS, no. 109/15), Decision on the manner, procedure and deadlines for keeping accounting records, conducting separation of accounts by activities and delivery of data and documentation for the purposes of regulation, Decision on the procedure for exercising the right of the end customer to access data on own consumption of electricity and natural gas (the decision on was published on the Agency's website on 28 July 2016), Rules for the Allocation of Cross-Border Transmission Capacities, Rules on the Operation of the Distribution System, Rules on the Operation of the Transmission System, Rules on the Operation of the Market. Also, the legislative framework consists of the Law on Consumer Protection (Official Gazette of RS, no.62 /14, 6/16-other law and 44/18-other law) and the Law on Protection of Competition.

Regulation 714/2009/EC of 13 July 2009 on conditions for access to the network for cross-border exchanges in electricity and repealing Regulation 1228/2003/EC was transposed by the Energy Law (Official Gazette of RS, no. 145/14 and 95/18 - other law) and sub-legal acts under this law.

Commission Regulation (EU) no. 838/2010 of 23 September 2010 on laying down guidelines relating to the inter-transmission system operator compensation mechanism and a common regulatory approach to transmission charging was transposed to the legislation of the Republic of Serbia through the adoption of the Law on Energy (Official Gazette of RS, no. 145/14 and 95/18-other law), Rules for Allocation of Cross-Border Transmission Capacities and Methodology for Determining Pricing of Access to the Electricity Transmission System (Official Gazette of RS, no. 93/12, 123/12, 116/14, 109/15, 98/16, 99/18, 4/19 and 158/20).

EU Commission Regulation 543/2013 of 14 June 2013 on submission and publication of data in electricity markets and amending Annex I to Regulation (EC) No 714/2009 of the European Parliament and of the Council has been fully transposed into the legislation of the Republic of Serbia through the Law on Energy (Official Gazette of RS, no. 145/14 and 95/18-other law), the Rules on publishing key market data and the Law on Amendments to the Law on Energy (Official Gazette of RS, no. 40/21).

EU Commission Regulation 2015/1222 of 24 July 2015 on establishing guidelines for capacity allocation and congestion management has not yet been adapted for application in the Energy Community, but has nevertheless been partially transposed into national law through the Law on Amendments to the Energy Law. The conditions for the appointment of a nominated electricity market operator (NEMO) for day-ahead and intraday electricity market mergers are prescribed, and the transition from the allocation of cross-border capacities to the allocations of capacities between trading zones is also prescribed.

EU Commission Regulation 2016/631 of 14 April 2016 establishing a network code on requirements for grid connection of generators; EU Commission Regulation 2016/1388 of 17 August 2016 establishing a Network Code on Demand Connection; EU Commission Regulation 2016/1447 of 26 August 2016 establishing a network code on requirements for grid connection of high voltage direct current systems and direct current-connected power park modules.



EU Commission Regulations 2016/631, EU 2016/1388, EU 2016/1447 were partially transposed into the legislation of the Republic of Serbia through the adoption of the Law on Amendments to the Law on Energy (Official Gazette of RS, No. 40/21).

EU Commission Regulation 2016/1719 of 26 September 2016 establishing guidelines for forward capacity allocation; EU Commission Regulation 2017/1485 of 2 August 2017 on the establishment of guidelines for the operation of the electricity transmission system; EU Commission Regulation 2017/2195 of 23 November 2017 establishing a guideline for electricity balancing.

Regulations 2016/1719, 2017/1485, 2017/2195, directly applicable in EU Member States, have not been transposed into national legislation.

EU Regulation 2017/2196 of 24 November 2017, establishing a network code on electricity emergency and restoration, was partially transposed into the provisions of the Law on Amendments to the Energy Law which prescribes the obligation of transmission system operators as a member of ENTSO-E (European network of transmission system operators for electricity), to adopt Rules for suspension and re-establishment of market activities. The Rules are approved by the Energy Agency.

EU Regulation 2019/943 of the European Parliament and of the Council of 5 June 2019 on the internal electricity market has been partially transposed into the Law on Amendments to the Energy Law, in such a way that electricity storage is defined as energy activity, as market participants aggregator, electricity storage entity and electricity buyer. Also, the Law prescribes the duties of the aggregator and the duties of the storage entity as market participants. Also, the Law on Amendments to the Law on Energy prescribes the service of charging electric cars and defines that the provider of charging service is the end customer on the electricity market. In addition, it is stipulated that the distribution system operator, as a rule, cannot own, develop or manage charging stations for electric vehicles, unless they own charging stations exclusively for their own use.

EU Directive 2019/944 of the European Parliament and the Council of 5 June 2019 on common rules for the internal electricity market and amendments to Directive 2012/27/EU has been partially transposed through the Law on Amendments to the Law on Energy. This introduced a more flexible approach to getting connected, in accordance with Article 42 of the EU Directive 2019/944, in order to avoid unnecessary delays in the implementation of projects, as well as unnecessary investment in the transmission network. It is prescribed that the transmission system operator adopts connection rules approved by the Energy Agency, which would regulate in detail certain matters that are now a common problem in investments in renewable energy sources.

Regulation (EC) No 2016/1952 of the European Parliament and of the Council of 26 October 2016 on European statistics on natural gas and electricity prices and repealing Directive 2008/92/EC.

The calculation of electricity and gas price statistics is fully harmonized with the requirements of Regulation 2016/1952 of the European Parliament and of the Council of 26

October 2016 on European statistics on natural gas and electricity prices and repealing Directive 2008/92/EC. The basic legal framework for conducting statistical surveys is the Law on Official Statistics (Official Gazette of RS, No. 104/09), Decision on the Program of Official Statistics in the Period from 2021 to 2025 (Official Gazette of RS, No. 24/21 ) and the Decree on determining the Official Statistics Plan for each year. Accordingly, it is not necessary to adopt other legal acts for the implementation of this Regulation. The original version of the Regulation is used as a methodology for energy price statistics.

The state of compliance with this regulation is dealt with in the Negotiating Position for Negotiating Chapter 18 - Statistics.

### **II 1.d. Security of supply**

Regulation (EU) 2017/1938 on measures to protect security of gas supply and repeal Regulation 994/2010.

Regulation (EU) 2017/1938 was partially transposed through the Law on Energy (Official Gazette of RS, no. 145/14 and 95/18 - other law) and bylaws of this law by the Decree on determining the Preventive Action Plan to ensure security of natural gas supply (Official Gazette of RS, no. 102/18) and the Decree on determining the Crisis Plan to ensure security of natural gas supply, (Official Gazette of RS, no. 102/18). Regulation of the European Parliament and of the Council 994/2010 concerning measures to safeguard security of gas supply and repealing Council Directive 2004/67/EC that preceded Regulation (EU) 2017/1938 has been fully transposed by the stated acts.

Directive 2005/89/EC of the European Parliament and of the Council of 18 January 2006 concerning measures to safeguard security of electricity supply and infrastructure investment was transposed through the Law on Energy (Official Gazette of the RS, No. 145/14 and 95/18 - other law) and sub-legal acts under this law.

EU Regulation 2019/941 of the European Parliament and of the Council of 5 June 2019 on risk-preparedness in the electricity sector and repealing Directive 2005/89/EC has not been transposed into national law.

### **II 1.e. Renewable energy**

Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC EC (consolidated version which take into account Directive 2015/1513 amending Directive 2009/28/EC) has been transposed into national legislation through the adoption of the the Law on Energy (Official Gazette of RS, no. 145/14 and 95/18 - other law) and trough the bylaws as follows:

Decree on Conditions and Procedure for Acquiring the Status of the Privileged Electricity Producer, Temporary Privileged Electricity Producer and Producer of Electricity from renewable energy sources (“Official Gazette of the RS”, No. 56/16, 60/17, 91/18);

Decree on Incentive Measures for production of electricity from renewable energy sources and from highly-efficient combined heat and power production (“Official Gazette of the RS”, No. 56/16, 60/17 and 91/18);

Decree on Power Purchase Agreement (“Official Gazette of the RS”, No. 56/16 and 61/17);

Decree on the Amount of the special fee for promotion in 2018 (“Official Gazette of the RS”, No. 5/18);

Decree on the Amount of the special fee for promotion in 2019 (“Official Gazette of the RS”, No. 8/19);

Decree on the Guarantee of Origin (“Official Gazette of the RS”, No. 82/17);

Decree on Sustainability Criteria for Biofuels (“Official Gazette of the RS”, No. 89/19);

Decree on the Mandatory Marketing of a Certain Percentage of Biofuels (“Official Gazette of the RS”, No. 71/19) regulatory increase in biofuel production and consumption;

Rulebook on Requirements for biofuels (“Official Gazette of the RS”, No. 73/19);

Rulebook on the Method of Calculation and Showing all shares of energy sources in sold electricity (“Official Gazette of the RS”, No. 96/17);

Rulebook on calculation of the RES share (“Official Gazette of the RS”, No. 37/20).

Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources has been largely transposed through a special Law on the Use of Renewable Energy Sources (Official Gazette of RS, no. 40/21) and into the Law on Amendments to the Law on Energy (Official Gazette of RS, No. 40/21).

Republic of Serbia is highly committed to reach the binding targets for 2030 which will be determined under the Integrated National Energy and Climate Plan. This Plan is preparing based on the Impact Assessment Analysis made under the IPA project.

Regarding the Commission Delegated Regulation (EU) 2019/807 of 13 March 2019 supplementing Directive (EU) 2018/2001 of the European Parliament and of the Council as regards the determination of high indirect land-use change-risk feedstock for which a significant expansion of the production area into land with high carbon stock is observed and the certification of low indirect land-use change-risk biofuels, bioliquids and biomass fuels has not been transposed into national law.

## **II 1.f. Energy efficiency**

Directive 2012/27/EU on energy efficiency of 25 October 2012 amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC as last amended (hereinafter EED) has been partially transposed into national law. Transposition has included revisions of EED by Directive 2013/12/EU, Directive (EU) 2018/844, Directive (EU) 2018/2002, Regulation (EU) 2018/1999, Commission Delegated Regulation (EU) 2019/826 and Directive (EU) 2019/944. Full transposition will be achieved through secondary legislation as explained in III 1.f.

EED was transposed through the Law on Energy Efficiency and Rational Use of Energy (Official Gazette of RS, No. 40/21 - hereinafter: ZEERUE), which entered into force on April 30, 2021. ZEERUE has defined the legal basis for bylaws, the adoption of which will achieve full compliance with the EED. Since 2013, the Law on Efficient Use of Energy (Official Gazette of RS, No.25/13 3 - hereinafter: ZEKE) has been in force, which, with its bylaws, already partially transposed the provisions of the EED that was in force at the time. ZEKA bylaws remain in force until the adoption of bylaws based on ZEERUE.

Among the most significant innovations related to the transposition of revised EED, which were introduced through ZEERUE, the goals in the field of energy efficiency and measures for achieving them, in the coming period will be determined through the Integrated National Energy and Climate Plan (INEKP), instead through Energy Efficiency Action Plans. Legal basis for adoption of INEKP is defined in the Energy Law (“Official Journal” no 40/21). The law provides for the establishment of the Directorate for Financing and Encouraging Energy Efficiency as a body within the Ministry of Mining and Energy instead of the Budget Fund for Energy Efficiency Improvement, which was only a budget line financing only projects in public sector. Through the activities of the Directorate, it is planned to provide financial incentives for other sectors of energy consumption, including households, in addition to financing the project in the public sector. The Directorate will monitor and verify the energy savings and CO<sub>2</sub> emission reductions resulting from its activities. The Law introduces the obligation to rehabilitate certain percentage of central government buildings (CGB) which will be determined in the Programme of rehabilitation of CGB to be adopted by the Government. The law also regulates in more detail the area of informing end consumers of energy about their energy costs, encouraging highly efficient cogeneration through feed-in tariffs and market premiums, etc. The law regulates the area of energy audits differently, which will enable their application. Inspections will also be mandatory for large companies.

The law does not provide for the introduction of a energy efficiency obligation scheme, as it prescribes for obligations under Article 7 of EED to be achieved through alternative measures. The Ministry informed the Secretariat of the Energy Community within the official Notification about the modality for the implementation of Article 7 of the EED through alternative measures for the period 2017-2020, in accordance with the Decision of the Ministerial Council of Energy Community Treaty D/2015/08/MC-EnC. The required amount of cumulative end-use energy savings by 2020 amounted 317,5 ktoe. The key measures for achieving the goal were measures related to the implementation of the energy management system, the activities of the Budget Fund for the Improvement of Energy Efficiency and the credit lines of international financial institutions. Target by 2030 will be defined in INEKP. According to the Article 7 of ZEERUE, the minister responsible for energy shall determine the methodology for calculation of the cumulative energy savings. According to the Article 9 of ZEERUE, the minister responsible for energy shall prescribe the methodology for the calculation of energy savings resulting from the implemented energy efficiency measures. Article 8 defines reporting on energy savings. Through articles 7-9 legal basis for implementation of Annex V is established.

The indicative target (Article 3 of the EED) regarding energy efficiency by 2020 for the Republic of Serbia has been set, in accordance with Decision No. D/2015/08/MC-EnC of the Ministerial Council of the Energy Community, of 14 August 2015 on the implementation of the adapted EED, as the maximum consumption of primary and final energy within the document

"Program for the implementation of the energy development strategy of the Republic of Serbia until 2025 with projections until 2030 for the period from 2017 to 2023" (Official Gazette of RS no. 104/2017).

At the proposal of the Ministry of Mining and Energy, Government Conclusion No. 05. no. 337-6889/2018 of 9 August 2018, the Government established a list of central government buildings, in accordance with Article 5 of EED, and it includes 56 buildings.

Implementing Decision 2013/242/EU of the Commission establishing a template for National Energy Efficiency Action Plans under EED Directive - The decision is no longer relevant due to Regulation (EU) 2018/1999 which abolished the development of National Energy Efficiency Action Plans and instead envisages the development of INEKP.

In the period from 2010, the Republic of Serbia adopted 3 action plans for energy efficiency (APEE) and a draft 4 was prepared. APEE in a format defined by the Energy Community and in accordance with the requirements of the EED. The draft has been approved by the Secretariat of the Energy Community and is currently in the process of gathering opinions by the competent state authorities. Its adoption is expected by the end of May 2021. According to Draft 4. APEE estimates that the Republic of Serbia has achieved 88% of the target set for the period 2010-2018.

Commission Delegated Regulation (EU) 2015/2402 of 12 October 2015, which revises the harmonized efficiency reference values for separate production of electricity and heat in the application of Directive 2012/27/EU of the European Parliament and of the Council, repealing Commission Implementing Decision 2011/877/EU, was not transposed.

Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings, as last amended (hereinafter EPBD), has been partially transposed.

EPBD has been largely transposed into the legislation of the Republic of Serbia by regulations in the field of planning and construction of facilities through:

Law on Planning and Construction (Official Gazette of RS, No. 72/09, 81/09 - correction, 64/10 - decision of the US, 24/11, 121/12, 42/13-decision of the Constitutional Court, 50/13-decision of the CC, 98/13-decision of the CC, 132/14, 145/14 and 83/2018, 31/2019, 37/2019 and 9/2020). Full harmonization with EPBD was performed in terms of defining the concept of energy performance of buildings and energy efficiency of buildings, defining the requirements for buildings to be designed, built, used and maintained in accordance with the required energy properties, then in terms of the obligation to obtain an energy passport, establishment of the system of preparation and issuance of energy passports by independent experts (authorized organizations), the establishment of a system of control of issued passports through a central register maintained by the Ministry of Construction, Transport and Infrastructure.

The provisions of Art. 4 of the Law on Planning and Construction represent the legal basis for the adoption of the Long-Term Strategy for Encouraging Investments in the Renovation of the National Building Fund, which provides for the full harmonization with Art. 4 of EED Directive 2012/27/EU (2013/12) and partial harmonization with Article 2a of Directive 2010/31/EU (2018/844) related to Article 53. Regulation (EU) 2018/1999 on Energy Union governance and climate action.

- Rulebook on energy efficiency of buildings (Official Gazette of RS No. 61/11);

- Rulebook on conditions, content and manner of issuing certificates on energy performance of buildings (Official Gazette of RS No. 69/12 and 44/18 - other law).

The Rulebook on energy efficiency of buildings and the Rulebook on conditions, content and manner of issuing certificates on energy performance of buildings from 2011 prescribes the methodology for calculating energy efficiency of buildings, minimum requirements for energy properties of buildings and establishes a system of energy certification of buildings.

EPBD has been transposed to a lesser extent through ZEKE and two rulebooks related to the control of heating and air conditioning systems, as follows:

- Rulebook on control of heating systems and on closer conditions that must be met by authorized legal entities for control of heating systems (Official Gazette of RS, No. 58/16) and

- Rulebook on control of air conditioning systems (Official Gazette of RS, No. 82/16).

In accordance with the latest EPBD amendments, ZEERUE has prescribed higher limits for the implementation of obligatory control of heating and air conditioning systems, introduced the obligation that technical systems of non-residential buildings with installed heating and air conditioning capacities, over 290 kW, should be equipped with automatic control systems and management under certain conditions. This law also provides for obligatory certification of publicly owned buildings above 250 m<sup>2</sup>.

Regulation (EU) 2017/1369 of the European Parliament and of the Council of 4 July 2017 setting a framework for energy labelling and repealing Directive 2010/30/EU of the The European Parliament and of the Council on the indication of energy consumption and other resources in products that affect energy consumption by labeling standard product information of the consumption of energy have been partially transposed into national legislation.

Through ZEKE, the Republic of Serbia was fully harmonized with Directive 2010/30/EU, which was replaced which regulates the labeling of certain types of products were adopted:

- Rulebook on energy efficiency labeling of electric light bulbs and street lights (Official Gazette of RS, No. 24/14) - harmonized with Delegated Regulation 874/2012;

- Rulebook on amendments to the Rulebook on energy efficiency labeling of electric light bulbs and street lights (Official Gazette of RS, No. 59/20) - partially harmonized with the Delegated Regulation 2019/2015;

- Rulebook on energy labeling of TV sets (Official Gazette of RS, No. 24/14) - harmonized with Delegated Regulation 1062/2010;

- Rulebook on energy efficiency labeling of air conditioning devices (Official Gazette of RS, No. 24/14) - harmonized with Delegated Regulation 626/2011;

- Rulebook on energy efficiency labeling of ovens and hoods for households (Official Gazette of RS, No. 19/17) - harmonized with Delegated Regulation 65/2014;

- Rulebook on energy efficiency labeling of tumble dryers with drums (Official Gazette of RS, No. 24/17) - harmonized with Delegated Regulation 392/2012;

- Rulebook on energy efficiency labeling of space heaters, combined heaters, space heater sets, temperature control equipment and solar device and combined heater set, temperature control equipment and solar device (Official Gazette of RS, No. 17/18) - harmonized with Delegated Regulation 811/2013;

- Rulebook on energy efficiency labeling of water heaters, hot water tanks and sets of water heaters and solar devices (Official Gazette of RS, No. 67/18) - harmonized with Delegated Regulation 812/2013.

The legal framework in the Republic of Serbia has been partially harmonized with Regulation (EU) 2017/1369. Article 63 of ZEERUE prescribes placing on the market or putting into service of energy related products that are covered by energy labeling acts. Article 134 prescribes obligation of suppliers and dealers to achieve conformity with energy labelling requirements which has to be set according to article 63 in the Decree on labeling. Although a new Decree is not adopted yet, the Decree on energy-related products for which indication of the consumption of energy and other resources is necessary ("Official Gazette of RS", No. 80/16 of 29 September 2016) is still in force and prescribes obligations of suppliers and dealers which doesn't differ much comparing to new Regulation. In accordance with the same article 63, the Government adopts the Decree which will transpose 2017/1369, while Minister adopts Rulebooks which transpose single delegated acts for particular products. Plans for adoption of 2017/1369 are described in III 1.f. It is not planned to transpose delegated regulations prescribing labels in accordance with 2010/30/EU, which are not transposed in Serbia so far and which will be replaced in EU by August 2023, in order to avoid confusion in the market. Instead, new energy labels, in accordance with 2017/1369 will be prescribed.

Although the legal framework of the Republic of Serbia is currently only partially harmonized with Regulation (EU) 2017/1369, so far, rulebooks which regulate the labeling of certain devices with new energy efficiency labels have been adopted, as follows:

- Rulebook on energy labeling of household dishwashers (Official Gazette of RS, No. 43/21) - harmonized with the Delegated Regulation 2019/2017, replacing the previous rulebook which was harmonized with Regulation 1059/2010;

- Rulebook on energy efficiency labeling of household washing machines and household washing and drying machines (Official Gazette of RS, No. 43/21) - harmonized with the Delegated Regulation 2019/2014, replacing the previous rulebook which is was in line with Regulation 1061/2010;

- Rulebook on energy labeling of refrigeration appliances (Official Gazette of RS, No. 43/21) - harmonized with the Delegated Regulation 2019/2016, replacing the previous rulebook which was harmonized with Regulation 1060/2010.

The umbrella law that relates to the field of technical regulations and which regulates the matter that is not covered by individual legal solutions of the Law on Energy Efficiency and Rational Use of Energy is the Law on Technical Requirements for Products and Conformity Assessment (Official Gazette of RS, No. 49/21) under the jurisdiction of the Ministry of Economy.

Regulation (EU) 2020/740 of the European Parliament and of the Council of 25 May 2020 on the labelling of tyres with respect to fuel efficiency and other parameters, amending

Regulation (EU) 2017/1369 and repealing Regulation (EC) No 1222/2009 has been partially transposed into national law.

Article 65 of ZEERUE prescribes placing on the market of tyers class C1, C2 and C3 if they are properly labeled. ZEERUE also prescribes adoption of Rulebook, by the Minister, which will set detailed requirements for labeling of tyers. By adoption of this Rulebook full transposition of 2020/740 will be achieved. Plans for adoption are presented in III 1.f.

Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products has been partially transposed. Article 66 introduce setting of the eco-design requirements for energy related products and placing on the market and putting into service of conformed products. Article 135 prescribes obligation of producers or its representative to achieve conformity of product. The same article predicts procedures for non-conformed products. Detailed obligations in supply chain as well as conformity mark, declaration of conformity and other relevant elements of 2009/125/EC should be prescribed by Governmental Decree as prescribed in Article 66. Implementing measures will be adopted by Minister as the Rulebooks. Plans for adoption presented in III 1.f.

## **II 1.g. International agreements**

Accession to the Energy Charter Treaty.

In 2015, the Republic of Serbia accepted and signed the International Energy Charter, which confirmed its status of observer in the international organization Energy Charter.

## **II 1.h. Nuclear energy**

The Law on the Prohibition of the Construction of Nuclear Power Plants in the Federal Republic of Yugoslavia (Official Gazette of the FRY, No. 12/95 and Official Gazette of the RS, No. 85/05 - other law) is in force in the Republic of Serbia, and the law prohibits the construction of nuclear power plants, nuclear fuel production plants and spent nuclear fuel reprocessing plants for nuclear power plants.

Law on Radiation and Nuclear Safety and Security (Official Gazette of RS, no. 95/18 and 10/19) was adopted in December 2018 and has partially been harmonized with the provisions of EU directives:

1. Council Directive 2013/59/Euratom of 5 December 2013 laying down basic safety standards for protection against the dangers arising from exposure to ionising radiation, and repealing Directives 89/618/Euratom, 90/641/Euratom, 96/29/Euratom, 97/43/Euratom and 2003/122/Euratom

2. Council Directive 2013/51/Euratom of 22 October 2013 laying down requirements for the protection of the health of the general public with regard to radioactive substances in water intended for human consumption

3. Council Directive 2009/71/Euratom of 25 June 2009 establishing a Community framework for the nuclear safety of nuclear installations



4. Council Directive 2014/87/Euratom of 8 July 2014 amending Directive 2009/71/Euratom establishing a Community framework for the nuclear safety of nuclear installations

5. Council Directive 2011/70/Euratom of 19 July 2011 establishing a Community framework for the responsible and safe management of spent fuel and radioactive waste

6. Council Directive 2006/117/Euratom on the supervision and control of shipments of radioactive waste and spent fuel

### **II 1.i. Euratom: Community, Treaty, Council Directive 2009/71/Euratom of 25 June 2009 on the nuclear safety of nuclear installations and accession to international conventions**

Since the Euratom Treaty is an act of the primary EU legislation, to be directly applied, which implies automatic validity in the member states, no domestic legal acts will be needed for the Euratom Treaty to be valid on the territory of the Republic of Serbia when Serbia becomes an EU member state. Regulations in this area must be in line with the Euratom Treaty, as the primary source of EU law.

The EU legislative framework in the field of nuclear safety presented at the explanatory screening consists of:

1) Council Directive 2009/71/Euratom of 25 June 2009 establishing a Community framework for the nuclear safety of nuclear installations (consolidated text)

2) Council Directive 2014/87/Euratom of 8 July 2014 amending Directive 2009/71/Euratom establishing a Community framework for the nuclear safety of nuclear installations<sup>1</sup>

Law on Radiation and Nuclear Safety and Security (Official Gazette of RS, no. 95/18 and 10/19) is almost fully compliant (91%) with Directives 2009/71/Euratom and 2014/87/Euratom.

The European Atomic Energy Community (EURATOM) is a member of the following international conventions:

3) Convention on the Physical Protection of Nuclear Material (Council Decision of 9 June 1980 approving the Commission's conclusion on this Convention; Accession to Euratom entered into force on 6 October 1991)

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<sup>1</sup> Directive was adopted after the bilateral screening, but given that it represents the amendments to the Council Directive 2009/71/Euratom, it has been stated in this list.

The Republic of Serbia through succession took over the Law on Ratification of the Convention on the Physical Protection of Nuclear Material (Official Gazette of the SFRY - International Agreements 9/1985).

The Republic of Serbia has adopted the Law on Ratification of Amendments to the Convention on the Physical Protection of Nuclear Material (Official Gazette of the Republic of Serbia - International Agreements 4/2016)

4) Nuclear Safety Convention (Commission Decision 1999/819/Euratom of 16 November 1999 on the accession of Euratom to this Convention; Accession of Euratom entered into force on 30 April 2000)

The Republic of Serbia has adopted the Law on Ratification of the Convention on Nuclear Safety (Official Gazette of the Republic of Serbia - International Agreements 10/2017).

5) Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management (Commission Decision 2005/10/Euratom of 14 June 2005 on the accession of Euratom to this Convention; the accession of Euratom entered into force on 2 January 2006)

The Republic of Serbia has adopted the Law on Ratification of the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management (Official Gazette of the Republic of Serbia - International Agreements 10/2017).

6) Convention on Early Notification of a Nuclear Accident (Commission Decision 2005/844/Euratom of 25 November 2005 on the accession of Euratom to this Convention; Accession of Euratom entered into force on 14 December 2006)

The Republic of Serbia has through succession took over the Decree on Ratification of the Convention on Early Notification of Nuclear Accidents (Official Gazette of the SFRY - International Agreements 15/1989)

7) Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency (Commission Decision 2005/845/Euratom of 25 November 2005 on the accession of Euratom to this Convention; Accession of Euratom entered into force on 14 December 2006)

The Republic of Serbia has through succession took over the Law on Ratification of the Convention on Assistance in the Case of Nuclear Accidents or Radiological Dangers (Official Gazette of the SFRY - International Agreements 4/1991). List of relevant bilateral agreements that Serbia concluded or took over by succession is given in the Appendix 1.

## **II 1.j. Radiation protection**

The EU legislative framework presented at the explanatory screening consists of:

- 1) Treaty establishing the European Atomic Energy Community (2010/C 84/01), Art. 35 and 36.

Articles 35 and 36 of the Treaty establishing the European Atomic Energy Community require that member states have an established system, i.e. institutions that can perform continuous monitoring of radioactivity levels in air, water and land in accordance with basic safety standards, the right of the European Commission to access these institutions and have the ability to verify their work and efficiency and to require Member States to provide information on radioactivity levels to the Commission so that the Commission can be informed about the level of exposure of the population.

The compliance with Articles 35 and 36 of The Treaty establishing the European Atomic Energy Community is partial.

- 2) Council Directive 2013/59/Euratom of 5 December 2013 laying down basic safety standards for protection against the dangers arising from exposure to ionising radiation, and repealing Directives 89/618/Euratom, 90/641/Euratom, 96/29/Euratom, 97/43/Euratom and 2003/122/Euratom

The Directive has been partially harmonized (45%) through the Law on Radiation and Nuclear Safety and Security (Official Gazette of RS, no. 95/18 and 10/19).

- 3) Council Decision 87/600/Euratom of 14 December 1987 on Community arrangements for the early exchange of information in the event of a radiological emergency

The signing of the Agreement between the European Atomic Energy Community (Euratom) and non-member countries of the European Union on the participation of the latter in Community agreements for the early exchange of information in the event of a radiological emergency (Ecurie) (2003/C 102/02) is ongoing. The signing of this agreement will also establish practical arrangements for the implementation of Council Decision 87/600/EURATOM.

- 4) Commission Regulation (EURATOM) 770/90 of 22 March 1990 laying down maximum permitted levels of radioactive contamination following a nuclear accident or in any other case of radiological emergency

- 5) Commission Regulation No 616/2000 of 20 March 2000 amending Regulation (EEC) No 737/90 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power-station

- 6) Commission Regulation (EC) No 1661/1999 of 27 July 1999 laying down detailed rules for the application of Commission Regulation (EEC) No 737/90 on the conditions governing imports of agricultural products originating in third countries following the Chernobyl accident

Regulations 4) -6) are no longer in force.

7) Council Regulation (EC) No 1609/2000 of 24 July 2000 establishing a list of products excluded from the application of Council Regulation (EEC) No 737/90 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station

Replaced with:

Commission Regulation (EU) 2020/1158 of 5 August 2020 on conditions governing imports of food and feed originating in third countries following the Chernobyl accident

Regulation 2020/1158 refers to the permitted levels of radioactivity in food imported into the European Union from third countries after the Chernobyl accident. The Rulebook on the limits of the content of radionuclides in drinking water, foodstuffs, animal feed, medicines, items of general use, construction materials and other goods placed on the market (Official Gazette of RS, No. 36/18) defines the limits of cesium-137 content which are in accordance with the effective dose limit for the population. Domestic regulations do not specifically determine the limit of radionuclide content in foods imported after the Chernobyl accident. The provisions of the Regulation are partially applied on the basis of the Rulebook.

8) Council Regulation (Euratom) No 1493/93 of 8 June 1993 on shipments of radioactive substances between Member States

The Regulation was partially transposed into the Law on Radiation and Nuclear Safety and Security (Official Gazette of RS, no. 95/18 and 10/19).

9) Council Directive 2013/51/Euratom of 22 October 2013 laying down requirements for the protection of the health of the general public with regard to radioactive substances in water intended for human consumption

The Directive has been partially harmonized through the Rulebook on limits of radionuclide content in drinking water, foodstuffs, animal feed, medicines, items of general use, construction materials and other goods placed on the market (Official Gazette of RS, No. 36/18).

10) Council Regulation (Euratom) No 3954/87 of 22 December 1987 laying down maximum permitted levels of radioactive contamination of foodstuffs and of feed following a nuclear accident or the occurrence of any other radiological emergency

This Regulation was replaced by the following:

Council Regulation (Euratom) No 2016/52 of 15 January 2016 laying down maximum permitted levels of radioactive contamination of food and feed following a nuclear accident or any other case of radiological emergency, and repealing Regulation (Euratom) No 3954/87 and Commission Regulations (Euratom) No 944/89 and (Euratom) No 770/90

The limits of radionuclide content in food, animal feed and less frequently used food after a nuclear accident as well as the list of less frequently used foods given in this regulation have

been harmonized through the Rulebook on limits of radionuclide content in drinking water, food, feed, medicines, items of general use, construction materials and other goods placed on the market (Official Gazette of RS, No. 36/18). The provisions of the Regulation are partially applied on the basis of the Rulebook.

### **II 1.k. Radioactive waste and spent fuel management**

The EU legislative framework in the field of radioactive waste and spent fuel management presented at the explanatory screening consists of:

1) Council Directive 2011/70/Euratom of 19 July 2011 establishing a Community framework for the responsible and safe management of spent fuel and radioactive waste

The Directive has been partially harmonized (45%) through the Law on Radiation and Nuclear Safety and Security (Official Gazette of RS, no. 95/18 and 10/19).

2) Council Directive 2006/117/Euratom on the supervision and control of shipments of radioactive waste and spent fuel

The Directive has been partially harmonized (41%) through the Law on Radiation and Nuclear Safety and Security (Official Gazette of RS, no. 95/18 and 10/19).

3) Commission Recommendation 2006/851/Euratom of 24 October 2006 on the management of financial resources for the decommissioning of nuclear installations, spent fuel and radioactive waste

Recommendation 3) has been partially harmonized through the Law on Radiation and Nuclear Safety and Security, Official Gazette of RS, no. 95/18 and 10/19).

It is also necessary to take into account:

4) Commission Decision 2008/312/Euratom of 5 March 2008 establishing the standard document for the supervision and control of shipments of radioactive waste and spent fuel referred to in Council Directive 2006/117/Euratom

Commission Decision 2008/312/Euratom has not been transposed into the legal system of the Republic of Serbia.

### **II 1.l. Application of safeguards**

The EU legislative framework in the field of application of safeguards presented at the explanatory screening consists of:

1) Commission Regulation (Euratom) No. 302/2005 of 8 February 2005 on the application of Euratom safeguards

2) 78/164/Euratom - Agreement between the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the European Atomic Energy Community and the International Atomic Energy Agency implementing Article III para. 1. and 4. Treaty on the Non - Proliferation of Nuclear Weapons - Protocol

3) 1999/188/Euratom - Protocol to the Agreement between the Republic of Austria, the Kingdom of Belgium, the Kingdom of Denmark, the Republic of Finland, the Federal Republic of Germany, the Hellenic Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, Serbia: Chapter 15 - Energy 21, The Kingdom of Netherlands, The Republic of Portugal, The Kingdom of Spain, the Kingdom of Sweden, the European Atomic Energy Community and the International Atomic Energy Agency on the implementation of Article III para. 1. and 4. Treaty on the Non - Proliferation of Nuclear Weapons

The Republic of Serbia through succession took over the Law on Ratification of the Treaty on the Non-Proliferation of Nuclear Weapons (Official Gazette of the SFRY - International Agreements 10/1970), the Law on Ratification of the Agreement between the Socialist Federal Republic of Yugoslavia and the International Atomic Energy Agency on the application of safeguards related to Treaty on the Non - Proliferation of Nuclear Weapons (Official Gazette of the SFRY 67/1973) and the Regulation on Ratification of the Statute of the International Atomic Energy Agency (Official Gazette of the FPRY - International Agreements no. 1/1958). The Republic of Serbia adopted the Law on Ratification of the Additional Protocol between the Republic of Serbia and the International Atomic Energy Agency with an agreement between the Socialist Federal Republic of Yugoslavia and the International Atomic Energy Agency on the application of safeguards in relation to the Treaty on the Non-Proliferation of Nuclear Weapons (Official Gazette of the RS – International Agreements 10/2018).

The provisions of documents 1) -3) have been largely transposed into the legal system of the Republic of Serbia and will be fully met prior the accession. By acceding to the European Union, the Republic of Serbia is obliged to withdraw the signed agreements with the IAEA on the application of safeguards and additional protocols and to accede to the agreements concluded between Euratom and the IAEA. The manner and form of keeping records on nuclear materials and related activities in accordance with the provisions of the said agreements is identical, and does not require further adjustment. The main difference between the agreements is the manner and mechanism of reporting, which, in addition to current parties - Republic of Serbia and the IAEA – introduces the Commission (Euratom safeguards) as the main point of contact of the IAEA and ensures most of the reporting required by the IAEA. Also, upon accession to the EU, nuclear materials and related activities become subject to Euratom safeguards.

4) 2006/40/Euratom - Commission Recommendation of 15 December 2005 on guidelines for the application of Regulation no. 302/2005 on the application of Euratom safeguards for nuclear safety;

5) 2009/120/Euratom - Commission Recommendation of 11 February 2009 on the implementation of a nuclear material accountancy and control system by operators of nuclear installations;

Recommendations 4) and 5) have not been transposed or implemented.

### **II 1.m. Fuel supply**

The EU legislative framework in the field of supply of fuels presented at the explanatory screening consists of:

Treaty establishing the European Atomic Energy Community (Euratom Treaty), Chapter 6, in particular Articles 1, 2, 52-76, 80, 86-91, 171, 195, and 197 which is not transposed in the national legislation.

Secondary EU legislation in the field of supply of fuels consists of:

EAEC Commission: Decision fixing the date on which the Euratom Supply Agency shall take up its duties and approving the Agency Rules of 5 May 1960 determining the manner in which demand is to be balanced against the supply of ores, source materials and special fissile materials;

EAEC Supply Agency: Rules of the Supply Agency of the European Atomic Energy Community of 5 May 1960 determining the manner in which demand is to be balanced against the supply of ores, source materials and special fissile materials (OJ 32, 11.5.1960, p. 777), amended by:

Regulation of the Supply Agency of the European Atomic Energy Community amending the rules of the Supply Agency of 5 May 1960 determining the manner in which demand is to be balanced against the supply of ores, source materials and special fissile materials;

Commission Regulation (Euratom) No 66/2006 of 16 January 2006 exempting the transfer of small quantities of ores, source materials and special fissile materials from the rules of the chapter on supplies;

Council Decision 2008/114/Euratom of 12 February 2008 establishing Statutes for the Euratom Supply Agency,

Commission Decision 93/428/Euratom of 19 July 1993 on a procedure for the application of the second paragraph of Article 53 of the EAEC Treaty (Only Portuguese text is authentic);

Commission Decision 94/285/Euratom of 21 February 1994 relating to a procedure in application of the second paragraph of Article 53 of the Euratom Treaty (Only German text is authentic).

This part is not transposed in the national legislation.

## **II.2. Institutional Framework**

### **II 2.a. General**

The bodies responsible for the transposition of Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 are the Ministry of Mining and Energy and the Ministry of Environmental Protection.

The Ministry of Mining and Energy is the body responsible for defining the energy policy of the Republic of Serbia.

In the Ministry of Mining and Energy, Department for Strategic Planning in Energy, two positions have been systematized, where, among other tasks, tasks related to the preparation of strategic documents and monitoring the implementation of energy policy are performed. Of these two posts, one is vacant.

The Ministry of Environmental Protection is responsible for defining policies in the field of environmental protection and climate change; In the Ministry of Environmental Protection, the Climate Change Department has been formed with two smaller organizational units (Climate Change Mitigation Group and Climate Change Adaptation Group), with two employees out of seven systematized positions in total.

### **II 2.b. Hydrocarbons**

Body responsible for the transposition of the Regulation (EU) 2964/95 and the Commission Decision 1999/280/EC is the Ministry of Mining and Energy. Bodies responsible for the implementation of the said Regulation and Decision are as follows:

- The Ministry of Mining and Energy is the body responsible for the collection and processing of information on crude oil supply costs, crude oil production costs, as well as the prices of petroleum products on the market of the Republic of Serbia. Within the Sector for Oil and Gas, two posts have been classified, where tasks related to the collection, monitoring and processing of data on oil and petroleum products are performed, among other tasks. Of these two posts, one is vacant.

- The Statistical Office of the Republic of Serbia is the body responsible for the delivery of data on oil and petroleum products to the Statistical Office of the European Union Eurostat. Within the Group on Energy Statistics of the Statistical Office of the Republic of Serbia, one employee has been tasked with activities relating to oil and petroleum products.

The Ministry of Mining and Energy - Directorate for Emergency Oil Stocks is responsible for transposition and implementation of the Directive (EU) 119/2009; the activities related to mandatory reserves fall within the competences of the Directorate for Emergency Oil Stocks as an administrative body. Administrative capacity is not satisfactory at the moment.

For the transposition and implementation of the EU acquis in relation to the Directive 94/22/EC and the Directive 2013/30/EC, the Sector for Geology and Mining of the Ministry of Mining and Energy is in charge of the provisions of Articles 20-22, and has 13 employees.

### **II 2.c. Internal Energy Market**

Bodies responsible for the transposition of the Directive 2009/73/EC are the Ministry of Mining and Energy and the Energy Agency of the Republic of Serbia. Within the Oil and Gas Sector, three posts have been classified, where normative activities are performed, among other tasks. Of these three posts, one is vacant.

Bodies responsible for the implementation of the said Directive are as follows:

- The Ministry of Mining and Energy - responsible for monitoring and supervising the implementation of laws and regulations related to natural gas, among other things, issues energy permits, gives opinion on the impact on the security of supply in the course of certification of



transmission system operators controlled by one or more persons from a third country or countries, gives opinion on the exemption act for new infrastructure in the field of natural gas. In the Ministry of Mining and Energy, its Oil and Gas Sector, six posts have been classified for the carrying out of activities related to the issuance of energy permits and the abovementioned opinions. Of these six posts, two are vacant.

- The Energy Agency of the Republic of Serbia has been operational since 2005. The Agency is an independent legal entity, and functionally independent of any state body, as well as of all organizations and persons engaged in energy activities. The agency has its own sources of funding, independent of the state budget.

The Agency has 46 employees (including 5 Council members), of which 25 are effectively engaged in the matters of transposition and implementation of the EU acquis.

The competencies of the Agency are determined by the Law on Energy, which has transposed the Third Energy Package of regulations on the internal energy market in the EU. The main tasks of the Energy Agency of the Republic of Serbia (AERS) are related to network tariffs, unbundling, supervision of energy companies, consumer protection, specific supervision activities in cases of the application of unbundling models of ISO and ITO system operators, etc. AERS is also authorized to adopt mandatory decisions, examine the functioning of the energy market, request the submission of information by energy companies, initiate court proceedings for non-compliance with legal obligations and decide on complaints related to access and connection to networks.

- Natural gas transmission system operators.
- Natural gas distribution system operators.

Bodies responsible for transposition and implementation of the Regulation No. 715/2009 are the Ministry of Mining and Energy, the Energy Agency of the Republic of Serbia, natural gas transmission system operators, natural gas distribution system operators and the natural gas storage operator.

The Ministry of Mining and Energy (Oil and Gas Sector) is the body responsible for preparing, monitoring and supervising the implementation of laws and regulations related to gas. Within the Oil and Gas Sector, three posts have been classified where normative activities are performed among other tasks. Of these three posts, one is vacant.

The Energy Agency of the Republic of Serbia (the institutional framework of the Agency is given above as part of the description of the competencies of the bodies in charge of the implementation of the Directive 2009/73/EC in Subsection II 2.c).

Bodies responsible for the transposition of the Regulation (EU) 1227/2011 on wholesale energy market integrity and transparency are the Ministry of Mining and Energy, the Energy Agency of the Republic of Serbia, transport system operators, transmission and distribution system operators, and the bodies responsible for the implementation of the Regulation (EU) 1227/2011 are the Energy Agency, electricity market participants and natural gas market participants.

Bodies responsible for the transposition of the Regulation (EU) No. 347/2013 are the Ministry of Mining and Energy, the Ministry of Construction, Transport and Infrastructure (through negotiating Chapter 21) and the Ministry of Environmental Protection.

Bodies responsible for the implementation of the Regulation (EU) No. 347/2013 are the Ministry of Mining and Energy, the Ministry of Construction, Transport and Infrastructure (through the negotiating Chapter 21), the Ministry of Environmental Protection, the Energy Agency, electricity transmission and distribution system operator and the natural gas transport system operator.

Bodies responsible for the transposition of Commission Regulations (EU) 2015/703, (EU) 2017/459, (EU) 2017/460 and (EU) 312/2014 are the Ministry of Mining and Energy, the Energy Agency of the Republic of Serbia and transport system operators. Within the Oil and Gas Sector, three posts have been classified where normative activities are performed among other tasks. Of these three posts, one is vacant.

Bodies responsible for the implementation of Commission Regulations (EU) 2015/703, (EU) 2017/459, (EU) 2017/460 and (EU) 312/2014 are the Energy Agency and transport system operators.

Bodies responsible for the transposition of the Directive 2009/72/EC are the Ministry of Mining and Energy, Energy Agency of the Republic of Serbia and business entities in the field of electricity. Within the Electricity Sector, four posts have been classified, where normative activities are performed among other tasks..

Bodies responsible for the implementation of the said Directive are as follows:

- The Ministry of Mining and Energy, Electricity Sector, where 16 posts have been classified for the performance of the said tasks and of which 7 have been filled.

The Energy Agency of the Republic of Serbia (the institutional framework of the Agency is given above as part of the description of the competencies of the bodies in charge of the implementation of the Directive 2009/73/EC in Subsection II 2.c).

- Electricity transmission system operator;
- Electricity distribution system operator.

Bodies responsible for the transposition and implementation of the Regulation No. 714/2009 are the Ministry of Mining and Energy, Energy Agency of the Republic of Serbia and transmission system operator.

The Ministry of Mining and Energy is the body responsible for the preparation, monitoring and supervision of the application of laws and regulations relating to electricity. Within the Electricity Sector, four posts have been classified where normative activities are performed among other tasks.

The Energy Agency of the Republic of Serbia (the institutional framework of the Agency is given above as part of the description of the competencies of the bodies responsible for the implementation of the Directive 2009/73/EC in Subsection II 2.c).

Bodies responsible for the transposition of the Regulation (EU) 838/2010 are the Ministry of Mining and Energy, Energy Agency of the Republic of Serbia and transmission system operator, and the Energy Agency and the transmission system operator are responsible for its implementation.

Bodies responsible for the transposition of the Regulation (EU) No. 543/2013 are the Energy Agency and electricity transmission system operator, and the bodies responsible for the

implementation of this Regulation are the Energy Agency, electricity transmission system operator and system users who must submit data.

Bodies responsible for the transposition of the EU Commission Regulations 2016/631, (EU) 2016/1388, (EU) 2016/1447 are the Ministry of Mining and Energy, Energy Agency of the Republic of Serbia, transmission system operator and the distribution system operator.

Within the Electricity Sector, four posts have been classified where normative activities are performed among other tasks.

Bodies responsible for the implementation of the Commission Regulations (EU) 2016/631, (EU) 2016/1388, (EU) 2016/1447 are the Energy Agency, transmission system operator, distribution system operator and system users.

Statistical Office of the Republic of Serbia is responsible for the implementation of the Regulation (EC) No. 2016/1952. Within the Price Statistics Department of the Statistical Office of the Republic of Serbia, one employee has been tasked to effectively work on the implementation of the Regulation (EC) No. 2016/1952. An adequate institutional structure has been established for the implementation of the said Regulation with adequate capacities in place.

## **II 2.d. Security of supply**

Body responsible for the transposition of the Regulation No. 2017/1938 is the Ministry of Mining and Energy.

Bodies responsible for the implementation of the Regulation (EU) No. 2017/1938 are as follows: the Government; the Ministry of Mining and Energy; Special working group of the Ministry of Mining and Energy for the monitoring of the security of supply of energy and energy generating products; Transport system operator (Transportgas Serbia Llc.); Natural gas suppliers; Republic Directorate for Emergency Oil Stocks; Public enterprise Electric Power Industry of Serbia ('Elektroprivreda Srbije'); Transmission system operator (JSC 'Elektromreza Srbije'); Large buyers of natural gas; Natural gas transport and distribution system operators; Natural gas storage operator; 12) energy entities that perform the activity of electricity production and/or combined production of electricity and/or thermal energy.

Body responsible for the transposition and implementation of the Directive 2005/89/EC is the Ministry of Mining and Energy.

The Ministry of Mining and Energy is the body responsible for the preparation, monitoring and supervision of the application of laws and regulations relating to the security of supply. Every year, the Ministry prepares the Report on the security of supply for the previous year and delivers it to the competent committee of the National Assembly and the Secretariat of the Energy Community. Within the Electricity Sector, four posts have been classified where normative activities are performed among other tasks.

## **II 2.e. Renewable energy sources**

Body responsible for the transposition of the Directive 2009/28/EU (consolidated version) in the energy sector legal framework is the Ministry of Mining and Energy except for

the part of Directive related to the biofuels which was transposed by adoption of the by laws on the biofuels which were prepared together with the Ministry of Agriculture, Forestry and Water management

Body responsible for the transposition of the Directive (EU) 2018/2001 as well as for preparing, monitoring and supervising the implementation of laws and regulations relating to the use of renewable energy sources (RES) is the Ministry of Mining and Energy. Within the Sector for Green Energy, five posts have been classified where normative activities are performed among other tasks.

Since October 2020, the Department for RES of the Ministry of Mining and Energy has been transformed into the Sector for Green Energy, managed by the Assistant Minister, thereby giving greater importance to the operations related to renewable energy sources. Of the foreseen five posts in this sector, three are filled at the moment.

Problems that exist in connection with the strengthening of administrative capacities were recognized even back during the validity period of the regulation that limited the number of employees within each body. In this regard, measures were taken to plan and retain posts, as well as an additional number of employees. However, as these are narrowly specialized staff in terms of their professional profiles, it is very difficult to employ them with a state administration body despite all the efforts made. A resistance of these staff to employment with state administration bodies has been noticed, as well as the transfer of the existing ones to public enterprises and companies for economic reasons.

Bodies responsible for the implementation of the said Directive 2018/2001/EU are as follows:

The Ministry of Mining and Energy is responsible for the implementation of the Directive through the implementation of the RES Law and future by-laws by issuing the relevant permits at the request of a party if the conditions set by the RES Law and by-laws are met;

The Energy Agency of the Republic of Serbia (the institutional framework of the Agency is given above as part of the description of the competencies of the bodies responsible for the implementation of the Directive 2009/73/EC in Subsection II 2.c).

Electricity Transmission System Operator (JSC EMS) (the institutional framework of the Transmission System Operator is given above within the description of the competencies of the bodies responsible for the implementation of the Directive 2009/73/EC in Subsection II 2.c.)

Electricity Distribution System Operator Electric Power Distribution LLC ('Elektrodistribucija DOO') (the institutional framework of the Distribution System Operator is given above within the description of the competencies of the bodies responsible for the implementation of the Directive 2009/73/EC in Subsection II 2.c.).

The guaranteed supplier (EPS Supply - 'EPS Snabdevanje') assumes balance responsibility for RES producers who are within the market premium system or outside the incentive system, until the establishment of a liquid organized intraday electricity market. It is expected that national organized intraday market will be established in the 2022 or 2023.

## **II 2.f. Energy efficiency**

The Ministry of Mining and Energy (MoME) is responsible for state administration affairs related to rational energy use and energy efficiency, implementation of energy management systems, monitoring of energy savings and the achievement of energy efficiency goals, provision of incentives for energy efficiency improvement. MoME is responsible for the transposition of all EU regulations in the area of energy efficiency, including energy labeling and ecodesign, with the exception of the EPBD, where it is responsible only in the part related to the control of heating and air conditioning systems and public sector obligations regarding certification of existing facilities. The organizational unit of MoME which is responsible for energy efficiency is the Sector for Energy Efficiency and Heating Plants, the Department for Energy Efficiency, Sustainable Development and Climate Change in the field of energy. There are 8 permanent employees in the sector, of which 6 employees work in the field of energy efficiency. A lawyer was hired on a contract basis, and 4 more persons were hired on a contract basis for donor-funded projects and international financial institutions. Further capacity building in this area is needed.

Except in the part related to market surveillance, the energy inspection is responsible for the supervision over the implementation of the law, as well as the electricity inspection and the inspection of equipment under pressure. The energy inspection has not been established and the capacities of the other two inspections should be strengthened.

The transposition of the provisions of the EPBD directives with the latest amendments is largely the responsibility of the Ministry of Construction, Transport and Infrastructure (MoCTI). MoCTI is, among other things, responsible for the adoption of regulations in the field of planning and construction and those regulating the requirements in terms of the energy performance of buildings and energy performance certification of buildings. This competence also includes establishing a methodology for calculating the energy efficiency of buildings, determining the minimum requirements for energy performance of buildings, calculating the cost-optimal level of minimum energy efficiency requirements for the existing and new buildings, defining buildings with approximately zero energy consumption, establishing energy certification systems and independent energy certification control systems, as well as the development of a long-term strategy to encourage investments in the renovation of the national building stock.

The organizational unit of MoCTI, which is responsible for energy efficiency in building construction, operates within the Sector for Housing and Architectural Policy, Communal Services and Energy Efficiency within the Ministry of Construction, Transport and Infrastructure and currently has four (4) permanent placement employees. Two persons are engaged in the development of energy efficiency in buildings, one person is engaged in the operation of the information system of the Central Register of Energy Passports and the electronic database on energy efficiency of buildings, and one person is engaged in legal affairs.

The main institution for supervising the implementation of regulations on energy efficiency labeling and the application of ecodesign regulations is the Ministry of Trade, Tourism and Telecommunications (MoTTT), its Market Inspection Sector. The actions of the Market Inspection are regulated by the Law on Energy Efficiency and Rational Use of Energy (Articles 133-135), as a special law in this area which has regulated special powers of market inspection in the said area of market surveillance and is thus related to the application of the principles of market surveillance and all other obligations of market surveillance body as per the Law on

Market Surveillance (Official Gazette of RS, No. 92/2011) adopted with the aim of harmonization with the Regulation (EC) 765/2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products, and which is discussed in detail in the negotiation Chapter 1 - Free movement of goods, where its further harmonization with the Regulation (EU) 2019/1020 on market surveillance and compliance of products is planned and monitored. In order to strengthen administrative and institutional capacities in this area of market surveillance, the implementation of the project financed under IPA 2016 is underway. It is necessary to strengthen market inspection and provide sufficient funds for product testing.

Coordination of activities, as well as the harmonization of the work of various ministries takes place through the establishment and work of working groups as well as through the procedure of obtaining opinions in the course of the adoption of regulations and other acts.

## **II 2.g. International agreements**

The Ministry of Mining and Energy, its Sector for International Cooperation and European Integration is responsible for the accession to the Energy Charter Treaty.

## **II 2.h. Nuclear energy**

The construction of nuclear power plants, plants for the production of nuclear fuels and plants for the processing of spent nuclear fuels for nuclear power plants has been prohibited in Serbia since 1989.

Regulatory body for radiation and nuclear safety and security was established in 2009.

Public Company Nuclear Facilities of Serbia is the operator of all nuclear facilities in the Republic of Serbia – two research reactors named RA and RB on Vinca site near Belgrade and closed uranium mine and hydrometallurgical plant in Gabrovica near Kalna in eastern part of Serbia.

## **II 2.i. Euratom: Community, Treaty, Council Directive 2009/71/Euratom of 25 June 2009 on the nuclear safety of nuclear installations and the accession to international conventions**

The Regulatory body in the field of radiation and nuclear safety and security was established by the Decision of the Government of the Republic of Serbia no. 05 021-5451/2009-1 of 10 September 2009 under the title of 'Agency for Ionizing Radiation Protection and Nuclear Safety of Serbia' pursuant to the Law on Ionizing Radiation Protection and Nuclear Safety (Official Gazette of RS no. 36/09 and 93/12) and the Law on Public Agencies (Official Gazette of RS no. 18/05, 81/05 - corr. and 47/18). The Agency started operating on 18 December, 2009, as an independent regulatory organization exercising powers in accordance with the law.

Upon the adoption of the Law on Radiation and Nuclear Safety and Security (Official Gazette of RS, no. 95/18 and 10/19), and in accordance with Article 242 of that law, the Agency

for Ionizing Radiation Protection and Nuclear Safety of Serbia has continued to operate as the Directorate for Radiation and Nuclear Safety and Security of Serbia (the Directorate). The powers of the Directorate have been significantly expanded, including the authority to conduct inspections, thus merging regulatory operations into a single body. The Directorate was established as an autonomous and functionally independent regulatory body that performs regulatory, professional and related executive tasks in the field of radiation and nuclear safety and security in accordance with the law.

The Directorate has 35 permanent-placement employees and 4 persons hired on a contract basis for temporary and occasional work.

Funds for the work and the functioning of the Directorate are provided in the Budget of the Republic of Serbia, at the proposal of the Directorate, from the revenues generated by the Directorate through performing activities within its competence, donations, contributions and other sources in accordance with the law. The funds that the Directorate received from the Budget of the Republic of Serbia amounted to RSD 110 million in 2018, RSD 165 million in 2019 and 2020, and RSD 195 million in 2021. The Directorate autonomously allocates the above-mentioned funds in accordance with the law.

## **II 2.j. Radiation protection**

Regulatory body in the field of radiation protection is the Directorate for Radiation and Nuclear Safety and Security. 7 employees in the Sector for Radiation and Nuclear Safety and Security assigned to the Department for Radiation and Nuclear Activity Control and the Population Exposure Control Department are effectively engaged in the radiation protection activities. The capacity for the implementation of regulations that are partially harmonized with EU regulations is sufficient in accordance with current operations and activities in this area. Given the future obligations and activities necessary for further harmonization and implementation of the Council Directive 2013/59 and planned projects in this area, especially in relation to systems used to measure and monitor the levels of radioactivity in the environment, it is necessary to further strengthen professional capacities in accordance with the number of employees approved by a Decision of the Government.

Bearing in mind that the largest number of applications of ionizing radiation sources is in the area of medicine (health centers, dentistry, veterinary medicine, etc.), the Ministry of Health has a very important role in the adoption and implementation of regulations that harmonize national legislation with the provisions of the Directive 2013/59 in the part related to medical exposures.

In the process of harmonization with the provisions related to the situations of existing exposure and regulatory control of NORM activities, in addition to the Directorate for Radiation and Nuclear Safety and Security, the participation of the following actors is also required:

- industries using NORM materials, and
- authorized technical service providers.

## **II 2.k. Radioactive waste and the management of spent fuel**

The institutional structure in the field of radioactive waste and spent fuel management consists of the Directorate for Radiation and Nuclear Safety and Security of Serbia as a regulatory body and the Public Company Nuclear Facilities of Serbia ('Nuklearni objekti Srbije') as the operator of radioactive waste management facilities (radioactive waste storage and radioactive waste treatment facilities).

The activities in the field of radioactive waste and spent nuclear fuel management within the Directorate are effectively taken on by two employees in the Sector for Radiation and Nuclear Safety and Security. Given the intensity of activities, the capacity to implement EU regulations is adequate.

Public Company Nuclear Facilities of Serbia (PC Nuclear Facilities) was founded in 2009 by the decision of the Government of the Republic of Serbia and has 125 employees (data from April 2021). Funds for the work and functioning of the PC Nuclear Facilities of Serbia are provided in the Budget of the Republic of Serbia, from the revenues that the PC Nuclear Facilities generates by performing activities within its competence, donations through international projects and other sources in accordance with the law. PC Nuclear Facilities is the operator of all radioactive waste management facilities in Republic of Serbia namely hangars H0, H1, H2 and H3 and Secure Storage for sealed radioactive sources, liquid waste tanks namely VR1, VR2, VR3 and VR4. There is no spent nuclear fuel on territory of Republic of Serbia.

The institutional structure is adequate.

### **II 2.l. Application of safeguards**

Within the regulatory body, one employee with the Sector for Inspection is engaged on the application of safeguards, and as this is not his primary obligation, additional capacity building is needed in this regard and in terms of educating the existing employees or hiring new ones to preserve and transfer the knowledge base.

In the Republic of Serbia, two legal entities own nuclear materials, both located at the Vinca site, namely: Vinca Institute of Nuclear Sciences Vinca and Public Company Nuclear Facilities of Serbia. Both institutions currently have a sufficient number of employees with the relevant knowledge necessary to meet the obligations related to the application of safeguards. Smaller amounts of nuclear material are also used at other locations in the country, primarily for non-nuclear activities.

The institutional structure is adequate.

### **II 2.m. Fuel supply**

Republic of Serbia do not have institutional structure and capacities at the moment.



## **II.3 Measures taken to implement the regulations and presenting challenges**

### **II 3.a. General**

Through the activities on the IPA 2017 project "Further Capacity Development for Energy Planning", the development of the 2021-2030 Integrated National Energy and Climate Plan of the Republic of Serbia with a vision until 2050 has begun. Working groups on the project have been formed consisting of representatives of relevant ministries and other institutions, as well as energy companies.

### **II 3.b. Hydrocarbons**

Implementation of the Regulation (EU) 2964/95 and Commission Decision 1999/280/EC has started, competent authorities have been identified, legislative framework has been established, as well as the electronic database of the Ministry of Mining and Energy, Oil and Gas Sector. Entities subject to the mandatory delivery of the data specified by the Energy Law and the Rulebook on deadlines, content and the manner of delivery of the data on the procurement and sale of oil, petroleum products, biofuels and compressed natural gas shall enter relevant data regarding crude oil related to its quantity, origin, price and quality, as well as the data on the sale of petroleum products in terms of their quantity and price, into the electronic database within the prescribed deadlines. Bearing in mind that a large number of energy entities access the database and enter data, the challenge is to constantly monitor and control the entered data, given the possible data entry errors.

Serbia is committed to implementing Council Directive 2009/119/EC (the Directive) imposing an obligation to maintain a minimum level of emergency oil stocks by no later than 31 December 2022. This specific commitment stems from the Energy Community Ministerial Council decision of October 2012 (Decision D/2012/03/MC-EnC).

The establishment of the emergency oil stocks commenced in 2015 in accordance with the Long-term plan that the Government of the Republic of Serbia adopted in June 2015, and the previous version of the Action Plan which was sent to the European Commission for its opinion in summer 2016. Based on the schedule introduced by the aforementioned plans, Serbia was supposed to establish by 2021 stocks in the amount of 54 days of consumption. However, by end 2021 Serbia will establish stocks in the amount of only 26 days (inclusive of 7 days held in tickets) of average consumption in 2020 (8,110 tce average daily consumption calculated according to the Annex III (b) of the Directive and the amendment of the Directive).

Such a delay clearly indicates that the schedule and approach planned by the Long-term plan and previous Action Plan should be adjusted accordingly. Thus, the revised Action Plan has been prepared in May 2021 and adopted by the Government of Serbia with the deadline for fully establishing the stocks by 31 Dec 2023. and presented to European Commission for comments. Only comment was to align the deadline of establishing and maintaining emergency oil stock with the Ministerial Council Decision 2012/03/MC-EnC; so 1 January 2023 instead of end of 2023. Should be the deadline. Action Plan has been revised again with the deadline for establishing as per EC comment and adopted by the Government of Serbia on 27th May 2021. This is the most recent executive and operational document, which takes into consideration

all relevant and practical aspects influencing the establishment of Serbian emergency oil stocks within the given deadline (31 December 2022), including all legislative, strategic, institutional, organizational, technical and financial measures and activities taken or intended to be taken by the Republic of Serbia in order to fully meet the Directive 2009/119/EC and its amendment. The Action Plan describes: the existing legal framework and remaining legislation alignment needed for full transposition of the Directive; the dedicated body fully responsible for establishing of Serbian emergency oil stocks compliant with the Directive; the financing of Serbian emergency oil stockholding; the estimated minimum stockholding obligation under the Directive; the necessary data gathering and reporting for the purposes of the Directive; the composition of emergency stocks to be established over time; the quality specifications of the liquid fuels to be held as emergency stocks; the amount of storage capacities needed for emergency stockholding purposes, including amounts currently available in both public and private facilities; planned dynamics for the establishment of emergency stocks (procurement schedule, subsequent capacity requirements, procurement and capacity investment policy, financing); organizational structure and emergency response planning; and timetable for implementation of Action Plan. The Schedule of Implementation of the Action Plan is given in Appendix 2.

In order to fully harmonize, transpose, implement and apply the Directive no. 94/22/EC during the year 2021, activities are undertaken to analyze the provisions of the Law on Mining and Geological Exploration in order to prepare a proposal of the Law on Exploration and Exploitation of Hydrocarbons as a legal act that will fully regulate the matters related to the issuance of permits for exploration and exploitation of liquid and gaseous hydrocarbons (oil and gas) and other natural gases, based on the previously conducted public tendering procedure.

### **II 3.c. Internal Energy Market**

Implementation of the Directive 2009/73/EC has started, competent authorities have been identified and the legislative framework has been established.

With the adoption of the Law on Energy from 2004, the process of reforming the energy sector has begun, as well as the harmonization with the European Union regulations. Through this law, the provisions of the Second Energy Package related to energy regulations of the European Union have been implemented to a large extent. This Law, among other things, established the Energy Agency of the Republic of Serbia as an independent regulatory body.

The Law on Energy, which was passed in 2011, completely transposed the Second Energy Package of EU regulations and the transposition of the Third Package has begun.

The Law on Energy, which was passed in 2014, as well as the amendments that were passed in 2021, completely transposed the Third Package of EU regulations in the field of energy, and the transposition of the package of regulations entitled 'Clean Energy for All Europeans' has begun. In the case of the provisions on unbundling relating to natural gas transport system operator, this law provides for, in addition to the ownership unbundling system operator model, in accordance with the Directive 2009/73, an independent system operator and an independent transport operator model, but only in cases where the transport system belonged to a vertically integrated undertaking on the day of 06 October, 2011. According to the requirements of directives, the above-mentioned unbundling is a condition for the certification of

transmission or transport system operators, and the procedure is carried out by the regulatory body, i.e. the Energy Agency of the Republic of Serbia. In order to comply with the provisions of the law regarding the unbundling of the transport system operator, limited liability companies 'Transportgas Srbija' Novi Sad and 'Distribucijagas Srbija' Novi Sad were incorporated in June 2015, and registered with the Serbian Business Registers Agency in August 2015, their founder being PE Srbijagas, a vertically integrated gas company. Thus, legal unbundling of transport system operators was carried out, i.e. legal separation of transport activities and transport system management, and of the distribution and distribution system management, in accordance with the provisions of the Law on Energy. In order to comply with the Law on Energy, the company 'Jugorosgas' JSC established a subsidiary 'Jugorosgas-Transport' Llc. The greatest challenge in harmonization with the provisions of the Law on Energy is resolving legal-property issues, which also involve resolving the problem of incomplete documentation, including the use permit, which is a prerequisite for the certification of transport system operators.

In the field of natural gas, all end customers of natural gas are entitled to freely choose a supplier on the market from 01 January, 2015. If households and small customers whose facilities are all connected to the natural gas distribution system do not choose another supplier, they are entitled to public supply at regulated prices. Small customers of natural gas are end customers with annual consumption of natural gas up to 100,000 m<sup>3</sup> and whose facilities are all connected to the natural gas distribution system.

In addition, the end customer of natural gas who has no right to public supply in case of bankruptcy or liquidation of the supplier who previously supplied it, termination or revocation of the license of the supplier who previously supplied it, or if he did not find a new supplier after the termination of the supply contract with the previous supplier, has the right to reserve supply unless the termination of the contract is due to the end customer's failure to fulfil payment obligations. In 2020, there was a total of 293,525 natural gas consumers in the Republic of Serbia, out of which 278,947 were households and 14,576 were industrial consumers. In 2020, there were 65 licensed natural gas suppliers, 31 licensed public natural gas suppliers, 3 licensed transport system operators, 32 licensed distribution system operators and one licensed natural gas supply storage operator. 291,292 end customers were on regulated supply, and 1,125 on the free market.

The Law on Energy authorizes the Government to prescribe in detail the criteria, manner of protection, conditions, deadlines and procedure to determine the status of energy vulnerable customer, source and the manner of providing funds for delivery of certain quantities of electricity or natural gas, funds to exercise the right of energy vulnerable customer are provided in the Budget of the Republic of Serbia. In 2020, the right to reduce the bill based on this was used by more than 70,200 consumers.

Implementing measures are currently underway for Directive 2009/73/EC. In connection with the unbundling and certification of the transport system operator Transportgas Serbia, a number of activities has been carried out so far to create conditions for certification:

- In June 2015, the companies 'Transportgas Srbija' Llc. Novi Sad na 'Distribucijagas Serbia' Llc. Novi Sad were established, and registered with the Serbian Business Registers Agency in August 2015, thereby performing legal unbundling of the transport system operator, i.e. carrying out legal unbundling of the activities of transport and transport system management and distribution and distribution system management in accordance with the provisions of the

Law on Energy, PE Srbijagas, as the founder of Transportgas Serbia Llc. and Distribucijagas Serbia Llc, have not created full conditions prescribed by the Law on Energy for certification and licensing of transport system operators;

- In November 2018, the Supervisory Board of PE Srbijagas adopted a Decision on the basis of which the transport system operator Transportgas Serbia started with its operations on 22 November, 2018 with 16 employees.

- As of 01 October, 2019, transport system operator Transportgas Serbia has been operating autonomously with more than 250 employees.

- Transport system operator Transportgas Serbia carried out a dislocation of employees who perform activities related to transport and management of transport system to a new location, i.e. to the company's headquarters.

- In November 2018, Transportgas Serbia Llc. Novi Sad submitted a certification request to the Energy Agency of the Republic of Serbia, but the request was rejected as incomplete.

The development of the Action Plan for the certification of Transportgas Serbia Llc. is in progress and will be completed by 31 May, 2021.

The Action Plan for the implementation of activities for the purpose of reorganization of PE Srbijagas Novi Sad, which the Government adopted by Conclusion No. 023-4526/2021 dated 16 May, 2021, defines the schedule of implementation of activities for the purpose of reorganization of PE Srbijagas Novi Sad. After considering the property issues and potential risks related to resolving of the property issues and relations with creditors, a model of unbundling of the transmission system operator was proposed, which in the first phase includes the unbundling according to the ISO (Independent System Operator) model in accordance with Article 227 of the Energy Law, and subsequently at a later stage ownership unbundling in accordance with Article 224 of the Energy Law. This Action Plan envisages that all activities will be realized by 15 August, 2024.

The key objections of the European Commission to the Action Plan for the implementation of activities aimed at reorganizing PE Srbijagas Novi Sad refer to specifying the ministries responsible for business operation and appointing the management bodies of PE Srbijagas and Transportgas Serbia and opening the natural gas market (opening of the Horgoš entry point).

The Action Plan for the implementation of activities for the purpose of reorganization of PE Srbijagas Novi Sad, that the Government adopted in its Conclusion number 023-4526/2021 from 16 May 2021, envisages in its item 20) the amending of relevant regulations that would ensure the independence in exercise of management rights in the name of the Republic of Serbia, which would ensure the certification of unbundled companies, by 30 December 2021.

The manner and conditions for the appointment of management bodies are prescribed by the Law on Public Enterprises, having in mind that after the relevant regulations have been amended, the management bodies will be appointed by competent ministries, and not the Government as it is currently prescribed by the said law.

The proposed plan also envisages that by 1 October 2022, access to the market shall be granted via the Horgoš entry point.

At the moment, harmonization of the text of the Action Plan with the European Commission and the Energy Community Secretariat is under way.

In connection with the unbundling and certification of the system operator Jugorosgaz-Transport Llc. in order to create conditions for the certification of Jugorosgaz Transport Llc. Nis according to the model of 'independent transport operator' - the ITO model, an initiative was launched to amend the Agreement between the Federal Government of the Federal Republic of Yugoslavia and the Government of the Russian Federation on Cooperation in the Construction of a Gas Pipeline on the Territory of the Federal Republic of Yugoslavia, and the text of the Protocol amending the Agreement between the Federal Government of the Federal Republic of Yugoslavia and the Government of the Russian Federation from April 1996 was agreed on between the parties. Planned activities, principal bodies responsible for activities and deadlines for their implementation are given in Appendix 3. - Plan for the implementation of activities for the purpose of certification of Jugorosgaz - transport Llc. according to the model of the independent transport operator (ITO).

In order to create the conditions for the certification of Jugorosgaz - transport Llc. Niš according to the "Independent Transmission Operator" - ITO model, an initiative was launched to amend the Agreement between the Federal Government of the Federal Republic of Yugoslavia and the Government of the Russian Federation on cooperation on gas pipeline construction in the Federal Republic of Yugoslavia, which is currently in the process of harmonization between the parties, and according to which the basic change is that the owner of the gas pipeline system, besides Jugorosgaz JSC, can be also its subsidiary (in this case Jugorosgaz Transport Llc).

The plan for the implementation of activities for the purpose of certification of Jugorosgaz Transport Llc. Nis defines the activities that shall be implemented by the Ministry in charge of Energy, Jugorosgaz JSC Belgrade and Jugorosgaz Transport Llc Niš, in order to create conditions for the certification of Jugorosgaz Transport Llc Niš.

The crucial objection of the European Commission to this plan was related to specifying the deadline for the entry into force of the Protocol amending the Intergovernmental Agreement (IGA).

The deadline for the entry into force of the Protocol on the Amendments to Interstate Agreement (ISA), i.e. the commencement of the application of the Plan for the implementation of activities for the purpose of certification of Jugorosgaz Transport Llc. according to the model of of an independent transport operator is 12 September 2021.

In accordance with the Law on Energy from 2014 and the final act on exemption ("Official Gazette of RS", no. 15/19), Gastrans Ltd submitted an application for certification in June 2019. The Council of the Energy Agency of the Republic of Serbia adopted a preliminary act by which Gastrans Ltd was conditionally certified as an independent transport operator, with the obligation to submit use permits or register ownership of natural gas transmission system facilities, as well as to submit evidence of independent operation and transmission system operation, in accordance with the exemption act, within 6 months from the beginning of the operational work. In December 2019, the Secretariat of the Energy Community gave an opinion on the preliminary decision and in February 2020, the Council of the Energy Agency of the Republic of Serbia adopted the final act on certification. Gastrans Ltd Novi Sad is conditionally certified as an independent natural gas transport operator, with the same obligations set out in the preliminary act.

The issue of certification of Gastrans Ltd is fully within the competence of the Energy Agency of the Republic of Serbia as an independent regulatory body. During the accession negotiations, the regulatory regime of Gastrans needs to be reviewed in view of compliance with EU legislation.

The implementation of the Regulation no. 715/2009 has started. Competent bodies have been identified and a legislative framework has been established. In accordance with the established legislative framework, the activities of the Energy Agency of the Republic of Serbia are carried out in terms of giving approval to the prices set by energy entities in accordance with adopted methodologies, as well as in terms of giving approval to the operating rules of the transport system, distribution system and natural gas storage operators.

Amendments to the Law on Energy have been initiated to create a legal basis for the transposition and implementation of the Regulation (EU) 1227/2011, as adapted for the Energy Community (Decision 2018/10/MC-EnC). The National Assembly of the Republic of Serbia adopted the Law on Amendments to the Law on Energy on 21 April, 2021. These amendments stipulate the obligation of the Agency to adopt Rules on prevention of abuse on the electricity and natural gas market which, among other things, regulate in more detail the conditions for the registration of participants on the wholesale energy market, conditions for publishing insider information, prohibition of insider trading, prohibition of market manipulation, type, content, form, manner and deadline of data creation and publication, data protection, trade secrets and operational responsibility, obligations of persons who professionally regulate transactions, in accordance with the obligations of the Republic of Serbia undertaken by ratified international agreements. It also prescribes an obligation of the Agency to conduct procedures and adopt acts in accordance with the Rules on prevention of abuse on the electricity and natural gas market.

The Law on Amendments to the Law on Energy provided the legal basis for the transposition and implementation of the Regulation (EU) No. 347/2013.

Amendments to the Law on Energy have been initiated to create a legal basis for the transposition and implementation of the Commission Regulations (EU) 2015/703, (EU) 2017/459, (EU) 2017/460 and (EU) 312/2014. The National Assembly of the Republic of Serbia adopted these changes at the session held on 21 April, 2021. The mentioned amendments envisage that the Government of the Republic of Serbia adopt acts on network rules related to the natural gas transport network access on the national, regional and European natural gas market, in relation to the following:

- capacity calculation, capacity allocation and congestion management procedures,
- data and technical information published by natural gas transport system operator,
- mutual cooperation of transport system operators and rules for data exchange for the operation of interconnected gas transport systems,
- balancing rules, including the rules on nomination procedures, imbalance fees, settlement processes related to daily imbalance fees and operational balancing between gas transport system operators,
- rules related to harmonized tariffs for the transport of natural gas.

These acts are adopted at the proposal of the Ministry, and based on the submitted harmonized acts of natural gas transport system operators.

Implementation of the Directive 2009/72/EC has started, competent authorities have been identified and the legislative framework has been established.

A chronology of the setting of the legislative framework through energy legislation relevant to the Directive 2009/72/EC is presented earlier in this section as part of the description of the legislative framework for Directive 2009/73/EC.

With regard to the provisions on unbundling<sup>2</sup>, legal unbundling<sup>3</sup> was completed in 2005 when PE Elektromreza Srbije and PE Electric Power Industry of Serbia ('Elektroprivreda Srbije') were established, and the DSO functional unbundling<sup>4</sup> was completed in 2021.

Transmission system operator JSC Elektromreza Srbije is certified in accordance with the provisions of the Law on Energy transposing the Electricity Directive 2009/72/EC, as adapted for the Energy Community (Decision 2011/02/MC-EnC). AERS adopted the final decision on the certification of the transmission system operator number 312-3/2016-C-1 from 04 August, 2017.

Distribution system operator EPS Distribucija Llc. Belgrade became a completely independent legal entity by the Decision amending the Memorandum on Association, PE EPS is not the founder, but the share and founder's rights were transferred to the Republic of Serbia represented by the Government. The said entity changed its business name to 'Elektrodistribucija Srbije' Llc Belgrade (Electric Power Distribution of Serbia Llc).

According to the Law on Energy from 2011, end customers of electricity are entitled to freely choose their supplier on the market, while households have been exercising that right from 01 January, 2015.

If households and small customers that have all facilities connected to the electricity distribution system of voltage lower than 1 kV do not choose another supplier, they are entitled to public supply at regulated prices.

This Law authorizes the Government to prescribe in detail the criteria, manner of protection, conditions, deadlines and procedure to determine the status of an energy vulnerable customer, source and the manner of providing funds for delivery of certain quantities of electricity or natural gas, funds to exercise the right of an energy vulnerable customer are provided in the Budget of the Republic of Serbia.

Implementation of the Regulation No. 714/2009 has begun. Competent bodies have been identified and a legislative framework has been established. In accordance with the established legislative framework, the activities of the Energy Agency of the Republic of Serbia are carried out in terms of giving approval to the prices set by energy entities in accordance with the adopted methodology, as well as in terms of giving approval to the non-discriminatory rules for allocation of cross-border transmission capacities. Transmission system operator determines the prices for system access in accordance with the adopted methodology, and acts in accordance with the adopted rules. On borders with EU countries EMS applied Harmonized allocation rules (excluding Romania where principles of Harmonized allocation rules is applied). On non-EU borders general requirements from 714/2009 are applied but modification are induced by neighbouring non EU TSO.

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<sup>2</sup> Terms legal and functional unbundling were used in the meaning defined in the Electricity Directive (e.g. Art. 9 and 26), and further detailed in EC Interpretative Note on unbundling ([https://ec.europa.eu/energy/sites/default/files/documents/2010\\_01\\_21\\_the\\_unbundling\\_regime.pdf](https://ec.europa.eu/energy/sites/default/files/documents/2010_01_21_the_unbundling_regime.pdf)).

<sup>3</sup> Legal unbundling means that transmission / distribution are performed by separate network companies.

<sup>4</sup> Functional unbundling means that the network operators are independent in terms of organization and decision making

Implementation of the Regulation (EU) 838/2010 has started. Competent authority has been identified and the legislative framework has been established. It is necessary that the bodies responsible for the implementation of the Regulation take all necessary activities so that the Regulation, i.e. the decree into which it has been transposed, would be fully implemented.

The adoption of the Law on Amendments to the Law on Energy has removed the obstacles to the full implementation of the Regulation (EU) No. 543/2013. Before this amendments were adopted, data on electricity unit production were treated as commercially sensitive data which prevented EMS a.d. from their publication on ENTSO-E platform. Transmission system operator will harmonize the Rules on publication of key market data in accordance with the Law on amendments to the Energy Law, in the second quarter of 2022 at the latest.

In accordance with the Regulation (EC) No. 2016/1952, the Statistical Office of the Republic of Serbia regularly delivers all data on electricity and natural gas prices to Eurostat within set deadlines, starting from 2014.

### **II 3.d. Security of supply**

Implementation of the Regulation (EU) 2017/1938 has started, competent authorities have been identified and the legislative framework has been established. By the decision of the Minister in charge of energy, a Special Working group for the monitoring of the security of supply of energy and energy generating products has been established. In accordance with the established legislative framework, the security of supply of energy and energy generating products of the Republic of Serbia is continuously monitored. The challenge at the moment is to harmonize the established model according to the Regulation 994/2010 with the Regulation (EU) 2017/1938.

Implementation of the Directive 2005/89/EC has begun. Competent body has been identified and the legislative framework has been established. In accordance with the established legislative framework, the activities of the Ministry regarding the preparation of the Report on the security of supply are being carried out.

### **II 3.e. Renewable energy sources**

Implementation of the Directive (EU) 2018/2001 has begun. Competent body has been identified and the legislative framework has been established. The Green Energy Sector regularly reports to EUROSTAT through the EDAMIS application and Eurostat's SHARES tool on the share of RES in gross final energy consumption. Progress reports are delivered to the Energy Community Secretariat.

The National Renewable Energy Action Plan (NREAP) of the Republic of Serbia setting the goals until 2020 was adopted in June 2013 (Official Gazette of RS, No. 53/13). So far, four progress reports have been delivered to the Energy Community Secretariat. The first report was



delivered on 30 December 2014, and the following were delivered on 30 December 2016, 31 December 2018 and 30 December 2020. All reports were submitted in a timely manner. The last available share of RES in the gross final energy consumption in 2019 is 21.44%. The SHARES tool available on the EUROSTAT website is used to calculate the share of RES.

Targets for the period from 2021 to 2023 have not been defined. They will be part of the Integrated National Energy and Climate Plan which is being prepared and is expected to enable a significant increase in the share of RES in gross final energy consumption. RES 2030 target will be legally binding, not only by the Integrated National Energy and Climate Plan, but also by the Decision of the Ministry Council of the Energy Community which should be adopted by the end of the 2021

Planned measures and activities undertaken to achieve long-term goals are as follows: reducing the use of fossil fuels and increasing the use of RES in order to protect the environment; long-term reduction of dependence on energy imports; job creation and entrepreneurship development in the field of RES; encouraging research, innovation and competitiveness in the field of RES; digitization, simplicity, cost-effectiveness and efficiency of procedures; integration of electricity from RES into the electricity market; ensuring the stability of electricity market; regional development of RES use; stability of incentive systems and implementation of operational state aid in the form of market premiums, except for small plants and demonstration projects; awarding incentives through auctions in a public, transparent, competitive and cost-effective manner; sustainable and independent development through the maximum use of national capacities of scientific research, technological development and human capacities in the process of planning to increase the use of RES.

A higher share of RES is expected due to the adoption of a legal framework that creates an attractive climate for attracting new investments. The law has very flexibly given all possible ways of functioning on the market, and we expect the introduction of a corporate PPA (power purchasing agreement) through which producers will be able to directly conclude a contract for the purchase of electricity with the customer (they operate without incentives), the introduction of the possibility of selection of a strategic partner, introduction of a notion of a customer-producer where citizens can also become energy producers from renewable sources, providing for the opportunities for local self-government units to prescribe benefits for investors who use RES in construction or reconstruction of facilities, encouraging the production of renewable hydrogen, guarantees of origin etc., all create an attractive framework for drastic increase in the use of RES in Serbia on a market principle.

In December 2020, 514 MW of RES capacity was installed and about 300 MW of RES capacity is under construction, although NREAP planned for the installation of about 1 GW of new RES capacity by 2020.

According to the data from the Electricity Balance for 2021, the estimated total gross electricity production in 2020 was 38,099 GWh from the total of 8,016 MW of installed electricity generation capacities. Of which:

Hydropower plants produced 9,735 GWh from 3076 MW of installed capacities (2,969 MW by large hydropower plants and 107 MW of SHPPs) which represents 25.5% of total electricity production (total production of large and small hydropower plants without reversible

hydropower plants, which are not counted in RES, amounts to 8,984 GWh, therefore hydropower plants as RES produced the total of 23.6% of total electricity production in 2020);

1,550 GWh was produced from RES (wind farms, small hydropower plants, biogas plants, solar power plants and biomass power plants), out of the total of 537 MW of installed RES capacities, which represents 4% of the total electricity produced.

In the Republic of Serbia, a total of 324 RES power plants have been built so far, with a total installed capacity of 2,893.7 MW, of which:

13 large hydropower plants PE EPS (excluding reversible HPPs that are not counted in RES) with total installed capacity of 2355 MW;

138 small hydro power plants with total installed capacity of 98.52 MW, of which:

123 small hydropower plants in the incentive system with total installed capacity of 77.87 MW;

15 small hydro power plants of PE EPS that are not in the system of incentives with total installed capacity of 20.65 MW;

135 solar power plants with total installed capacity of 11 MW, of which:

107 solar power plants in the incentive system with total installed capacity of 8.82 MW;

28 solar power plants outside the incentive system with total installed capacity of 2.18 MW;

8 wind farms of total installed capacity of 397.96 MW;

1 biomass power plant of total installed capacity of 2.38 MW;

29 biogas plants of total installed capacity of 28.84 MW.

A total of 116 RES power plants is under construction, with total installed capacity of 308.67 MW, of which:

34 small hydropower plants in the incentive system with total installed capacity of 33.40 MW;

2 wind farms with total installed capacity of 168 MW;

78 biogas power plants with total installed capacity of 73.94 MW;

1 waste-to-energy plant with total installed capacity of 30.24 MW;

1 landfill gas power plant with total installed capacity of 3.09 MW.

The Strategy of Energy Development of the Republic of Serbia until 2025, with projections until 2030, determines the total technically available potential of renewable energy sources in the Republic of Serbia based on the technical capabilities of the electricity system of the Republic of Serbia. A new Strategy of Energy Development is being drafted, which, in accordance with the development plans of the electricity system of the Republic of Serbia, will determine the new total technically available potential of renewable energy sources.

A new Investment Plan of the Ministry of Mining and Energy is being prepared, within which the project entitled 'Replacement Capacities' will be defined, with investment estimates, and within which a plan to replace coal-fired thermal power plants with capacities for electricity production from RES (wind farms, solar power plants and solar panels on the roofs of private, public, commercial and industrial buildings under the new customer-producer concept) will be developed.

The potential and use of biomass will be defined after the final results of the Survey of energy consumption of households in Serbia which is conducting under financial support by the Secretariat of Energy Community.

Given the significant number of new RES plants, most of the obstacles have been removed. The main obstacle to the development of RES projects is that there is still a lack of attractive financial support for small projects by commercial banks. The interest rate is still too high to attract small project investments. Development of the organized intraday market and balancing market, and competition on the market of the electricity could mitigate this obstacle.

### **II 3.f. Energy efficiency**

The Budgetary Fund for the Improvement of Energy Efficiency of the Republic of Serbia was established in accordance with the Law on Efficient Use of Energy. Using the funds from the Budgetary Fund, 6 public calls for (co)financing of energy efficiency improvement projects in local self-government units (LGUs) through funds for the improvement of energy efficiency of the Republic of Serbia were conducted in the period from 2014 to 2019 and 91 contracts were concluded. The projects primarily included measures to improve energy efficiency on the building's thermal envelope (joinery replacement and installation of thermal insulation) and measures to improve thermotechnical systems (installation of biomass boilers, thermostatic valves, electronically regulated circulation pumps and heat transfer measuring devices). They were implemented mostly on public facilities such as: preschool institutions, health centers, primary and secondary schools and administrative buildings of local self-government units.

At the proposal of MoME, the Law on Fees for the Use of Public Goods (Official Gazette of RS, No. 95/2018, 49/2019, 86/2019, 156/2020 and 15/2021) introduced a fee for the improvement of energy efficiency, the collection of which began in July 2019. Fee payers are entities that perform energy activities of electricity supply, natural gas supply and public supply of natural gas and have a license to perform those activities, and entities that perform energy activities of production of petroleum products and trade in oil, petroleum products, biofuels and compressed natural gas, and have a license to perform these activities in accordance with the law governing energy. The fee is collected on a monthly basis, which is regulated by the Rulebook on the application form for the records of payers of energy efficiency improvement fee, the form of monthly and annual calculation of quantities of energy/energy generating products delivered to consumers or placed on the market on the territory of the Republic of Serbia, or imported into the territory of the Republic of Serbia, the form of monthly and annual calculation of the obligation to pay the fee, the form of the payment report, as well as the manner of delivery of these forms (Official Gazette of RS, No. 41 of 11 June, 2019). The fee is part of the revenues of the Budget of the Republic of Serbia, and the goal of its adoption is to provide significant financial resources for co-financing energy efficiency measures. The estimated amount of the collected fee on an annual level is around EUR 9 million.

In order to achieve the goal according to the requirements of Article 5 of the EED, MoME provided funds for the rehabilitation of up to 28 of the total of 56 central government buildings from the list established by the Government Conclusion No. 05, no. 337-6889/2018 of

09 August 2018, maintained by the Administration for Joint Services. For this purpose, a program loan in the amount of EUR 40 million was provided from the Council of Europe Development Bank (CEB) and grants (donations): WBIF (EUR 300,000), the Slovak Inclusive Growth Account - SIGA (EUR 400,000) and the Spanish Social Cohesion Account - SCA (EUR 200,000).

For the purpose of harmonization with EU regulations in the field of energy efficiency and its better implementation, MoME initiated the implementation of the IPA 14 project under the title 'Technical assistance to the Ministry of Mining and Energy for the implementation of the new Law on Energy, National Energy Efficiency Action Plan and Renewable Energy Sources Directive' (EuropeAid/138041/IH/SER/RS). Within the Project, a draft ZEERUE has been prepared and bylaws are currently being drafted. Preparatory activities within the project have also started for the development of a five-year awareness raising strategy, along with preparatory activities to conduct energy audits of small and medium enterprises.

The Ministry of Mining and Energy is the beneficiary of the results of the IPA 16 Project under the title 'Establishing and strengthening capacities of the conformity assessment bodies for the implementation of the Energy Labelling and Eco-Design Directives' (EuropeAid/139199/DH/SER/RS). The project aims to strengthen domestic capacities for the implementation of regulations on energy labeling and ecodesign, which are primarily the capacities of the Ministry of Mining and Energy and the Ministry of Trade, Tourism and Telecommunications, especially their market surveillance sector. The project also includes the strengthening of the capacities of domestic economy, especially its production sector, so that it can develop products in accordance with domestic and European regulations and the expansion of available markets. Domestic conformity assessment bodies are expanding the scope of their work in the interest of the economy and citizens, customers and consumers are better informed and the quality of products that affect energy consumption which are on the market and which are covered by these technical regulations is improved. Through project implementation, domestic quality infrastructure for the application of regulations on energy efficiency labeling including, also, new labels and the application of ecodesign is strengthened. The project started in September 2019 and lasts until 01 March 2022, and through the project, several conformity assessment bodies will be trained to test products according to ecodesign requirements.

MoME considers the implementation of certain regulations on ecodesign the main challenge in the implementation of regulations. It is necessary to provide for in the bylaws the transitional period for full implementation of regulations that are to be transposed, as it is the case in the EU where a transitional period is introduced from the moment of adoption of a technical regulation to the moment of its application, thus enabling the economy, institutions and citizens to harmonize their activities within the transitional period. We anticipate that the deadlines for full implementation of bylaws in the field of ecodesign can range from 8 to 18 months.

In order to improve energy efficiency, the Ministry implements and prepares the implementation of other investment projects:

"Energy Efficiency in Public Buildings and Renewable Energy Sources in the District Heating Sector". The project is related to the rehabilitation of the hospital of the Military

Medical Academy. The implementation of the project is planned within the Serbian-German financial cooperation, and the estimated value of the project is EUR 203 million. The main goal of the Project is to reduce energy consumption and CO<sub>2</sub> emissions by 24,000 tonnes per year;

"Energy Efficiency and Energy Management Project in Municipalities in Serbia" (PEEUEO) in cooperation with SECO. The importance of the project is reflected in the realization of systemic and comprehensive energy management at the local level through the introduction of the European Energy Award certificate, energy rehabilitation and energy efficiency improvement of about 20 public buildings. This project will reduce energy consumption by 609 MWh/year and the reduction of CO<sub>2</sub> emissions will amount to 210 t/year.

Within the Program of "Rehabilitation of the District Heating System in Serbia", the phase V of its realization is in progress. The project envisages rehabilitation and modernization of the district heating system in up to 8 heating plants. It is expected that within the phase V, an increase in energy efficiency will be achieved, i.e. a reduction in heat losses by at least 15% per year, an annual reduction in greenhouse gas emissions expressed as the CO<sub>2</sub> emission equivalent of 70,000 tonnes of CO<sub>2</sub> e/year (at least 22%).

Within the REEP Plus support program, which was implemented with the support of the EBRD in cooperation with the Secretariat of the Energy Community, activities are carried out within the MoCTI on the preparation of the Rulebook amending the Rulebook on Energy Efficiency of Buildings and the Rulebook amending the Rulebook on the conditions, content and manner of issuance of energy performance certificates for buildings. So far, the final draft of the National Calculation Methodology has been prepared, as well as the final draft of the Cost-Optimal Study for Residential Buildings, the draft Rulebook on energy performance certification of buildings; draft Rulebook on energy efficiency of buildings. Given the WG's objections to these documents, a solution to this challenge is currently under way. Within the project of Serbian-German cooperation GIZ (DKTI EE), the final version of the Cost-Optimal Study for Non-residential buildings was prepared and adopted. After the adoption of both rulebooks, the conditions for the development of the algorithm necessary for the development of the National Software for the calculation of energy performance of buildings for the purpose of energy certification would be met, thereby achieving the full application of the provisions of the rulebooks.

In order to comply with the Directive of the European Parliament and of the Council 2010/31/EU, MoCTI, within its competences, plans to adopt a Long-term Strategy to encourage investment in the renovation of the national building stock as well as the development and commissioning of the National software for energy performance calculation for the purpose of energy certification.

MoCTI is actively working on the development of a Long-Term Strategy to encourage Investments in the Renovation of the National Building Stock, thus carrying out a harmonization with the provisions of Art. 4 EED 2012/27/EU (2013/12), i.e. partly by the provisions of Article 2a of the EPBD, and in connection with Article 53. Regulation (EU) 2018/1999 on the Governance of Energy Union and Climate Action. Based on the published public call in December 2019, a national consultant was selected to draft the Strategy. The terms of reference for the development of the Strategy were developed in cooperation with GIZ and BPIE international consultants. Having in mind the difficult and prolonged period for data collection due to the state of emergency in the Republic of Serbia declared because of the COVID-19 pandemic outbreak and the lack of adequate data on the national building stock, the deadline for

drafting the Strategy was extended to the end of December 2020. The preparation of the public debate is in progress, whereas the adoption of the Strategy is expected by end of 2021.

### **II 3.h. Nuclear energy**

The construction of nuclear power plants, plants for the production of nuclear fuels and plants for the processing of spent nuclear fuels for nuclear power plants has been prohibited in Serbia since 1989.

The Regulatory body for Radiation and Nuclear Safety and Security was established in 2009.

### **II 3.i. Euratom: Community, Treaty, Council Directive 2009/71/Euratom of 25 June 2009 on the nuclear safety of nuclear installations and the accession to international conventions.**

Within the second phase of the project of the Policy and Legal Advice Centre PLAC II - Legal support to negotiations in 2017, 2 project activities were implemented in order to comply with the requirements of Directive 2009/71 and Directive 2014/87. Content of these PLAC II activities was assistance in drafting Guideline for conduction safety assessment for zero-power nuclear reactor/critical assembly and Inspection plan for nuclear facilities other than NPP.

The Republic of Serbia is fully fulfilling its obligations undertaken by ratifying the Convention on Nuclear Safety and the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management. National reports under these conventions have been prepared and submitted to the depositary, the International Atomic Energy Agency, within the prescribed deadlines. The Directorate for Radiation and Nuclear Safety and Security of Serbia presented the national report at the Sixth review meeting as per the Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management.

### **II 3.j. Radiation protection**

Within the second phase of the project of the Policy and Legal Advice Center PLAC II - Legal support to negotiations in the period from 2016 to 2018, seven project activities were implemented in order to comply with the requirements of Directive 2013/59:

Assistance in developing Guidelines for licensing of radiation practices in nuclear medicine and radiotherapy that will serve as a tool in the process of licensing of radiation practices in this field;

Assistance in developing Guidelines for licensing of radiation practices in industrial radiography that will serve as a tool in the process of licensing of radiation practices in this field;

Assistance in drafting Rulebook on the Security of Radioactive Sources as a part of national legislation regulating security measures that legal entities working with radioactive

sources, especially with high activity radiation sources, must ensure according to general requirements for control of radioactive sources prescribed by Council Directive 2013/59;

Assistance in drafting Inspection Programme for radiation practices;

Assistance in developing Article 6 Methodology for establishing dose constraints and Guidelines for management of high-activity sealed sources in accordance with Directive 2013/59/Euratom;

Assistance in developing Guidelines for establishing graded approach to regulatory control in accordance with requirements of Directive 2013/59;

Assistance in developing document(s) defining core business processes of regulatory body and in developing guidelines for licensees and applicants paying due regard to the business processes of regulatory body and indicating technical content required from licensees and applicants.

Under the European Commission's Technical Assistance and Information Exchange Instrument (TAIEX), in the period from 2017-2020, three project activities were implemented in order to comply with the requirements of Directive 2013/59:

TAIEX Expert Mission on Estimation of doses to the members of the public;

TAIEX Expert Mission on Regulatory Control of Naturally Occurring Radioactive Materials;

TAIEX Expert Mission on Setting the reference levels and dose assessment in emergency and existing exposure situation to check compliance with the prescribed levels.

Within the third phase of the project of the Policy and Legal Advice Center PLAC III - Legal support to negotiations, since the year 2019, and in accordance with the priorities of harmonization of domestic legislation with the EU acquis, three project activities were implemented in order to comply with Directive 2013/59:

Drafting a Guidance for management of Disused Sources in radiation practices;

Authorisation of practices in medical application of radiation sources:

a. Drafting a Guidance on criteria for recognition of Medical Physics Experts as required by Articles 4, 14, 22.4.c (i) 57, 58, 59, 79 and 83 of the Council Directive 2013/59;

b. Drafting and preparation of a Methodology for estimation of population doses as required by Article 64 of the Council Directive 2013/59;

c. Drafting a Guidance for establishing Quality Assurance Programmes as required by Articles 4, 56, 60, 61, 63, 82, 83 of the Council Directive 2013/59;

d. Drafting a Guidance for accidental and unintended exposures regarding Article 63 of Directive 2013/59;

e. Preparation and holding a 3-days workshop on a theme: Justification of practices and justification of non-medical imaging exposure;

Review of Radiation and Nuclear Safety Strategy.

Preparations have begun for the implementation of two more project activities expected in 2021:

Review of a Draft of Existing Exposure Situation Strategy;

Review of a Draft of Radiation and Nuclear Security Strategy.

Law on Radiation and Nuclear Safety and Security (Official Gazette of RS, no.95/18 and 10/19) recognizes the existing exposure situations and the development of the Strategy for the management of existing exposure situations was initiated. In this regard, activities to measure the concentration of radon in residential buildings and at workplaces were carried out. In 2014, the Regulatory body conducted a research on the content of radionuclides in construction materials on the market, in accordance with the recommendations specified in Annex XIII to the Directive 2013/59. The regulatory body has also identified two phosphogypsum landfills as potential situations of existing exposure, and legal entities authorized for protection against ionizing radiation have assessed the population's exposure in their vicinity.

### **II 3.k. Radioactive waste and the management of spent fuel**

Within the third phase of the project of the Policy and Legal Advice Centre PLAC III - Legal support to negotiations, in 2020, in accordance with the priorities of harmonization of domestic legislation with the *acquis communautaire*, a project activity was implemented in order to comply with Directive 2011/70.

In accordance with the provisions of Council Directive 2011/70, the Serbian Radiation and Nuclear Safety and Security Directorate (SRBATOM) has written the Draft Strategy for Spent Fuel and Radioactive Waste Management. This Strategy is planned to be adopted by the end of 2023. Under the PLAC III project activity "Review of Draft of Radioactive Waste Management Strategy", review of Draft Strategy, was performed.

In accordance with the adopted Financial Agreement between the Republic of Serbia and the European Commission, the implementation of the project "Support to the regulatory body of Serbia and the Vinca site" is underway (CRIS number: 2017/040-360). The preparatory phase of the project has been completed, and the implementation phase begins on May 17, 2021 with a realization period of 36 months. A consortium led by ENCONET Consulting Ges.m.b.H. was selected by the European Commission to implement the project.

The outcome of this project is to strengthen the capacity of the Serbian regulatory body in regulating radioactive waste management, and it is achieved through the implementation of five project tasks in three domestic institutions (Serbian Radiation and Nuclear Safety and Security Directorate, Public Company "Nuclear Facilities of Serbia", Institute of Nuclear Sciences "Vinca"). The activities that will lead to the improvement of radioactive waste management are the decommissioning of the Radium bunker and the preparation of a feasibility study for the needs of decommissioning of the liquid radioactive waste storage located in VR1-4 in the PE "Nuclear facilities of Serbia".

### **II 3.l. Application of safeguards**

Within the implementation of the project "Support to the Regulatory Body of Serbia and the Vinca site" (CRIS number: 2017/040-360), the activity that will lead to the improvement of nuclear safeguards is the removal and safe storage of nuclear materials from the Materials Laboratory at the Institute of Nuclear Sciences "Vinca".



## **II 3.m. Fuel supply**

There are no special measures taken in the field of fuel supply.

## **III HARMONIZATION OF THE LEGISLATIVE AND INSTITUTIONAL FRAMEWORK WITH THE EU ACQUIS**

### **III 1. Harmonization of the legislation**

#### **III 1.a. General**

In order to further harmonize with Regulation (EU) 2018/1999, it is planned to adopt the Rulebook on the content, manner of drafting and reporting on the Integrated National Energy and Climate Plan, which will be adopted within nine months of the entry into force of the Law on Amendments to the Law on energy, which is no later than the fourth quarter of 2021, as well as to adopt the Integrated National Energy and Climate Plan by February 2022. This Rulebook needs to be fully consistent with the direct applicability of Regulation (EU) 2018/1999, including its Annexes which establish the information to be included in National Energy and Climate Plans.

Relevant provisions of the Regulation (EU) 2018/1999, which are within the competence of the Ministry of Environmental Protection, will be transposed through the amendment of the Law on Climate Change.

#### **III 1.b. Hydrocarbons**

The full transposition of the requirements of Regulation (EU) 2964/95 and Commission Decision 1999/280/EC is planned for the 3rd quarter of 2021 with the adoption of the Law on Amendments to the Energy Law, which expands the scope of data that the data submitters are required to submit. The Rulebook on Amendments to the Rulebook on Deadlines, Content and Manner of Data submission on Procurement and Sale of Oil, Petroleum Products, Biofuels and Compressed Natural Gas will prescribe in detail the manner and deadlines for the submission of this data.

In order to fully align its legal framework with the Directive 2009/119/EC, the Republic of Serbia has to transpose amendment of the Directive as regards the methods for calculating stockholding obligations (Commission Implementing Directive (EU) 2018/1581 of 19 October 2018). It will be done by changing the Decree on the methodology of data collection and processing and calculation of average daily net imports, average daily consumption and amounts of required emergency stocks of crude oil and oil products. Realistic deadline for this transposition is December 2021.

Emergency oil stocks fully in accordance with the Directive and the amendment of the Directive (i.e. in amount of 90 days of net import or 61 days of consumption whichever of the two quantities is greater) will be established by 31 December 2022 – in line with the Ministerial Council Decision 2012/03/MC-EnC as per adopted revised Action Plan.

For full compliance with Directive no. 94/22/EC, the adoption is planned of a special Law on Exploration and Exploitation of Hydrocarbon as a legal act that will be adopted in accordance with the provisions of the Law on Mining and Geological Exploration and will fully regulate issues related to issuing permits for exploration and exploitation of hydrocarbons in liquid and gaseous state (oil and gas) and other natural gases, based on a previously conducted public tender procedure. The law will be adopted in the fourth quarter of 2023, and the provisions by which Directive 94/22/EC was transposed into it will be applied from the day of the accession of the Republic of Serbia to the European Union, having in mind the current state of exploration and exploitation fields.

### **III 1.c. Internal energy market**

Directive 2009/73/EC has been fully transposed into the legislation of the Republic of Serbia.

Regulation no. 715/2009 has been fully transposed into the legislation of the Republic of Serbia.

The Plan for the implementation of activities for the purpose of reorganization of PC 'Srbijagas' Novi Sad, that is currently in the harmonization procedure with the European Commission and the Energy Community Secretariat, provides for the deadlines and principal bodies in charge of activities for the creation of conditions for certification of transport system operator 'Transportgas Serbia'. The proposed Plan also envisages that the access to the market through the entry point Horgos be available by 01 October 2022.

In accordance with the Law on Energy from 2014 and the final act on exemption ("Official Gazette of RS", no. 15/19), Gastrans Ltd submitted an application for certification in June 2019. The Council of the Energy Agency of the Republic of Serbia adopted a preliminary act by which Gastrans Ltd was conditionally certified as an independent transport operator, with the obligation to submit use permits or register ownership of natural gas transmission system facilities, as well as to submit evidence of independent operation and transmission system operation, in accordance with the exemption act, within 6 months from the beginning of the operational work. In December 2019, the Secretariat of the Energy Community gave an opinion on the preliminary decision and in February 2020, the Council of the Energy Agency of the Republic of Serbia adopted the final act on certification. Gastrans Ltd Novi Sad is conditionally certified as an independent natural gas transport operator, with the same obligations set out in the preliminary act.

The issue of certification of Gastrans Ltd is fully within the competence of the Energy Agency of the Republic of Serbia as an independent regulatory body. During the accession negotiations, the regulatory regime of Gastrans needs to be reviewed in view of compliance with EU legislation.

In order to further transpose EU Regulation 1227/2011 into the legislation of the Republic of Serbia, the Energy Agency will adopt Rules on the Prevention of Misuse in the Electricity and Natural Gas Market within the legally prescribed period (six months from the date of entry into force of the Law on Amendments to the Energy Law), i.e. in the fourth quarter of 2021.

EU Regulation no. 347/2013 has been partially transposed into the legislation of the Republic of Serbia by passing the Law on Amendments to the Law on Energy (Official Gazette of RS, no. 40/21).

In order for this regulation to be fully transposed, it is necessary to pass a regulation which prescribes in more detail the conditions and manner of promoting a project into a strategic one and the obligations and activities of competent bodies regarding the monitoring and implementation of strategic energy projects. The regulation will be adopted in the fourth quarter of 2021.

Also, full compliance with Regulation 347/2013 regarding the issuance of acts will be achieved when the Law on Amendments to the Law on Environmental Impact Assessment and the relevant bylaws whose adoption is the responsibility of the Ministry of Environmental Protection are adopted.

EU Commission Regulations 2015/703, EU 2017/459, EU 2017/460 and EU 312/2014 have been partially transposed into the legislation of the Republic of Serbia through the adoption of the Law on Amendments to the Law on Energy (Official Gazette of RS, no. 40/21). In order for these regulations to be fully transposed, the Government will adopt acts on network rules by the end of 2021.

In order to transpose the Regulation 2015/1222, the Government of the Republic of Serbia will issue a bylaw within the legally prescribed period which further prescribes the conditions, manner of acquisition, duration and termination of the status of nominated electricity market operator, the role of the nominated market operator, central contracting parties, transmission agent and transmission system operator in connection with the business of merging organized markets, the principles of financial settlement and payment, the principles of merging day-ahead and intraday electricity market with neighboring markets. A competitive and liquid market will be achieved immediately after the intraday market coupling of Serbian market with the single European intraday market (SIDC). In order for the national market to become competitive and liquid, it is necessary to open a retail market, more independent producers, independent participation of the industry in the market, more suppliers.

For the full transposition of the Commission Regulations EU 2016/631, EU 2016/1388, EU 2016/1447, it is planned that in the fourth quarter of 2021 the Government will adopt acts on network rules relating to connection of production units to the network, connection of customer facilities to the network and connection to the network of high-voltage DC systems. These acts are adopted by the Government as proposed by the Ministry, after the Agency has issued instructions, and the operators of the system draft the acts and obtain the consent of the Agency.

It is planned that regulations 2016/1719, 2017/1485, 2017/2195 will be transposed into the legislation of the Republic of Serbia by the end of 2023. In accordance with new Energy law EMS will amend Market Code in order to reflect requirements for Regulation 2017/2195. It will, be done in few steps before 2023. Related to that EMS is willing to join EU Balancing Platforms. First platform where EMS plans to join (start with operational work) is IGCC in Q1 2022. At the moment EMS participate with two borders in JAO (Joint Allocation office – EU single allocation platform). EMS has a plan to participate with remaining borders in European Joint Allocation Office (JAO) but it depends on common agreement and will of neighbouring TSOs.

For the purpose of further harmonization with Regulation 2017/2196, it is planned, and in accordance with the deadline provided by the Law, for the transmission system operator to adopt Rules for the suspension and re-establishment of market activities. The rules will be adopted in the fourth quarter of 2021.

In order to further harmonize with the EU Regulation 2019/943, it is planned, and in accordance with the deadline stipulated by the Law (1 year from the date of entry into force of the Law) that the Government adopts the Decree which will further regulate technical specifications to the customer who provides the service of charging electric cars and other issues important for the operation of charging stations for electric vehicles. It is planned that the full harmonization of national legislation with EU Regulation 2019/943 will be achieved by the end of 2023.

For the purpose of further harmonization with the EU Directive 2019/944 and in accordance with the deadline stipulated by the Law stipulated (six months from the day the Law enters into force), the transmission system operator will adopt connection rules approved by the Energy Agency. It is planned that the full harmonization of national legislation with EU Regulation 2019/944 will be achieved by the end of 2023.

### **III 1.d. Security of supply**

Regulation (EU) 2017/1938 has been partially transposed into the legislation of the Republic of Serbia. In order to achieve full harmonization, a revision of the existing acts is planned (Decree on the establishment of the Preventive Action Plan to ensure the security of natural gas supply (Official Gazette of RS, no. 102/18) and the Decree on determining the Crisis Plan to ensure security of natural gas supply, (Official Gazette of RS, no. 102/18) and the established model related to security of supply with a new risk assessment.

EU Regulation 2019/941 will be transposed into the legislation of the Republic of Serbia by the end of 2023.

### **III 1.e. Renewable sources of energy**

Full harmonization with Directive (EU) 2018/2001 will be achieved after:

The adoption of bylaws of the Law on the Use of Renewable Energy Sources listed below, which will be adopted within the legal deadline of six months from the adoption of the Law, no later than the fourth quarter of 2021. All bylaws are in the drafting stage and consist of:

- Decree on the Market Premium;
- Decree on the market premium contract model;
- Decree on Balance Liability of Electricity Producers from Renewable Energy Sources;
- Decree on quotas for market premiums;
- Methodology for determining the amount of market premium;
- Methodology for determining feed-in tariffs;
- Decree on feed-in tariff;
- Decree on the model of the feed-in tariff agreement;
- Decree on the producer of electricity from renewable energy sources and guarantee of origin;
- Decree on compensation for incentives for privileged producers;
- Decree on the producer-consumer;
- Decree on incentive measures for achieving the share of renewable energy sources in transport;
- Decree on biofuel sustainability criteria;
- Decree on Renewable Hydrogen;
- Rulebook on the calculation of the share of renewable energy sources;
- Rulebook on the calculation and presentation of the share of all types of energy sources in the sold electricity;
- Rulebook on the register of customers-producers and assessment of their production;
- Rulebook on exchange of submissions and documents;

Defining binding RES 2030 Targets by the Decision of the Ministry Council of The Energy Community and by the Integrated National Energy and Climate Plan adopted by the Government;

Specific amendments of the special Law on the Use of Renewable Energy Sources which are not yet reflected.

The Regulation (EU) 2019/807 will be transposed as a part of the by-laws on biofuels which are preparing under IPA project Technical Assistance to the Ministry in Charge for Energy and Relevant Public Entities for implementation of New Energy Law, NEEAP and RES Directive.

The Energy Agency will also, in accordance with the obligations prescribed by the Law on the Use of RES, develop a methodology for determining the maximum market premium for each type of RES power plant for which quotas are prescribed, and for the purposes of conducting auctions, as well as a methodology for determining feed-in tariffs.

### **III 1.f. Energy efficiency**

Directive 2012/27/EU of the European Parliament and Council. The Republic of Serbia will fully harmonize with this directive by adopting bylaws on the Law on the Efficient Use of

Energy. The law stipulates that all bylaws be adopted by October 2022, but the adoption of acts is expected by the end of 2021.

Alignment of the legal framework with Regulation (EU) 2017/1369 will be achieved by adopting a decree based on Article 63 of ZEERUE. The Decree will prescribe: obligations of the supplier of the product and the seller regarding the energy labeling of the product related to: the content of the energy label, its correct placement and accuracy of data on the label, use of reclassified energy efficiency labels and other conditions which enable the application of the requirements of energy labeling for products. The adoption of this Decree is planned for the third quarter of 2021, except for the part related to the European database EPREL, which cannot be transposed until the Republic of Serbia becomes part of the EU single market.

Although the legal framework of the Republic of Serbia is currently only partially harmonized with Regulation (EU) 2017/1369, draft rulebooks transposing delegated regulations 2019/2013 and 2019/2018 have been prepared. The rulebooks will be adopted within the deadlines as follows: for the harmonization with the delegated Regulation 2019/2013 in the second quarter of 2021, and for harmonization with the delegated Regulations 2019/2018 and 2019/2015 in the third quarter of 2021.

Alignment of the legal framework with Regulation (EU) 2020/740 will be achieved through the adoption of a rulebook based on Article 65 of ZEERUE. The Rulebook will prescribe: requirements for energy labeling of tires, obligations of suppliers and sellers of tires, obligations of suppliers and sellers of motor vehicles, measurement methods, procedure for checking compliance of tires with energy labeling requirements for market surveillance, procedure for determining tire energy efficiency class, design and energy label format, data sheet, content of technical documentation, information to be provided during visual advertising in technical and promotional materials during distance selling and in telemarketing, information to be provided in case of distance selling over the Internet, harmonization procedure for laboratories measuring rolling resistance, as well as other energy labeling requirements for certain types of tires. The adoption of the rulebook is planned for the third quarter of 2021, although the legal deadline is October 2022.

Alignment of the legal framework with Directive (EU) 2009/125/EC will be achieved by adopting a Decree based on Article 66 of ZEERUE. The Decree prescribes obligations of the producer in more detail, its representative, i.e. importer in terms of eco-design, the procedure of assessing the conformity of products with eco-design requirements, presumption of conformity, declaration of conformity, conformity label and other conditions. The adoption of the Decree will achieve full compliance with the requirements of Directive 2009/125 / EC. The adoption of the Decree is expected in the third quarter of 2021. By the adoption of individual rulebooks, issued by the Minister according to Article 66 of the Law, delegated acts will be transposed, i.e. the implementation measures for eco-design. A detailed transposition plan is given in Appendix 4.

Commission Delegated Regulation (EU) 2015/2402 will be transposed through the bylaw referred to in Article 80 of ZEERUE which will prescribe the methodology for determining the energy efficiency of cogeneration. The planned deadline for adoption is the third quarter of 2021.

In order to achieve full compliance with Directive 2010/31/EU of the European Parliament and of the Council, MoCTI, within its competencies, plans to adopt the Law on Amendments to the Law on Planning and Construction, Rulebook on Amendments to the Rulebook on Energy Efficiency of Buildings, Rulebook on Amendments to the Rulebook on Conditions, Content and Manner of Issuing Certificates on Energy Properties of Buildings. The adoption of these acts is planned for the fourth quarter of 2023.

Amendments to the subject rulebooks lead to a full harmonization with the provisions of Directive 2010/31/EU (2018/844), which are within the competence of MoCTI, i.e. improvements to the existing methodology for calculating energy efficiency of buildings are done, new minimum requirements for energy performance of buildings are defined in relation to the established cost-optimal level of minimum energy efficiency requirements of existing and new buildings, a building with approximately zero energy consumption is defined, the existing system of energy certification of buildings is improved and an independent certification control system is established.

Bylaws adopted by the MoCTI in accordance with ZEERUE with the goal of complying with Directive 2010/31/EU will be adopted by the end of 2021.

### **III 1.g. International agreements**

The Republic of Serbia will join the Energy Charter Treaty before accession to the EU and will thus become a full member of the Energy Charter.

### **III 1.h. Nuclear energy**

The construction of nuclear power plants, plants for the production of nuclear fuels and plants for the processing of spent nuclear fuels for nuclear power plants have been prohibited in Serbia since 1989. Serbia does not have the capacity to produce nuclear energy, so the harmonization of legislation in this area refers mainly to radiation safety and the safety and security of radioactive waste management.

### **III 1.i. Euratom: Community, Treaty, Council Directive 2009/71/Euratom of 25 June 2009 on the nuclear safety of nuclear installations and the accession to international conventions**

The Republic of Serbia has acceded to the Convention on Nuclear Safety, the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management and ratified the Amendments to the Convention on the Physical Protection of Nuclear Material and the Additional Protocol, thus fully fulfilling its obligations.

In accordance with the obligations arising from the ratification of the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management and the Convention on Nuclear Safety, the Republic of Serbia has prepared appropriate national reports. The delegation of the Republic of Serbia participated in the work of the Sixth Review Meeting under the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, at which it presented the First National Report. The report and the presentation were well received by the participants of the Review Meeting, and it was

pointed out that the Republic of Serbia prepared a quality document in an extremely short period of time.

Full harmonization with Council Directive 2009/71/Euratom and Council Directive 2014/87/Euratom is planned by the end of 2023 with the adoption of a rulebook prescribing action in case of an emergency.

### **III 1.j. Radiation protection**

Full harmonization with Council Directive 2013/59/Euratom is planned by the end of 2023 through the adoption of a set of bylaws in accordance with the Law on Radiation and Nuclear Safety and Security (Official Gazette of RS no.95/18 and 10/19):

In order to enable the implementation of Council Decision 87/600, it is necessary to sign the Agreement between the European Atomic Energy Community (Euratom) and the Republic of Serbia on participation in Community agreements for early exchange of information in case of radiological emergency (Ecurie). The signing of this agreement will also establish practical arrangements for the implementation of Council Decision 87/600.

Full compliance with Directive 2013/51/Euratom will be achieved by the end of 2023 through the adoption of the relevant bylaw.

### **III 1.k. Radioactive waste and the management of spent fuel**

Full harmonization of national legislation with the provisions of Directive 2006/117/Euratom and Commission Decision 2008/312/Euratom, to the extent possible before EU accession, is planned by the end of 2023 through the adoption of a rulebook prescribing transboundary shipments of radioactive waste and spent fuel.

Additional transposition of the provisions of Commission Recommendation 2006/851/Euratom is planned by the end of 2023 with the adoption of the Government Decree establishing a mechanism for managing financial resources for decommissioning of nuclear facilities, spent fuel and radioactive waste.

### **III 1.l. Application of safeguards**

Full transposition of the provisions of Recommendation 2009/120/Euratom is planned by the end of 2023 with the adoption of an ordinance prescribing the method of calculation and control of nuclear material.

The transposition of the provisions of Recommendation 2006/40/Euratom is planned in a document in the form of guidelines translated in Serbian until the date of accession of the Republic of Serbia to the EU.

In order to ensure the conditions for the entry of Regulation 302/2005/Euratom into force, it is necessary to amend the Law on Radiation and Nuclear Safety and Security, Article 184, which refers to the control and supervision of the IAEA, i.e. to enable control and supervision by EC inspectors. There is an institutional framework for the implementation of the Regulation.



The Law on Ratification of the Agreement between the Socialist Federal Republic of Yugoslavia and the International Atomic Energy Agency on the Application of Safeguards in Relation to the Treaty on the Non-Proliferation of Nuclear Weapons (Official Gazette of the SFRY 67/73) is currently in force. In order to ensure the entry of 78/164 / Euratom into force - Agreement between the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, Ireland, the Republic of Italy, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the European Atomic Energy Community and the International Atomic Energy Agency implementing Article III para. 1. and 4. Treaty on the Non-Proliferation of Nuclear Weapons - Protocol. It is necessary to ratify the agreement between the Republic of Serbia, Euratom and the International Atomic Energy Agency before accession.

The Law on Ratification of the Additional Protocol between the Republic of Serbia and the International Atomic Energy Agency is currently in force, with an agreement between the Socialist Federal Republic of Yugoslavia and the International Atomic Energy Agency on the application of safeguards in relation to nuclear non-proliferation treaties (Official Gazette of RS - International contracts 10/2018), to ensure the entry into force of 1999/188/Euratom - Protocol to the Agreement between the Republic of Austria, the Kingdom of Belgium, the Kingdom of Denmark, the Republic of Finland, the Federal Republic of Germany, the Hellenic Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, Serbia: Chapter 15 - Energy 21 of the Kingdom of the Netherlands, the Republic of Portugal, the Kingdom of Spain, the Kingdom of Sweden, the European Atomic Energy Community and the International Atomic Energy Agency on the implementation of Article III para. 1. and 4. The Treaty on the Non-Proliferation of Nuclear Weapons requires the confirmation of the agreement between the Republic of Serbia, Euratom and the International Atomic Energy Agency before accession.

### **III 1.m. Fuel supply**

The chapter 6 of the Euratom Treaty on “supply” and related secondary legislation will be transposed by the date of accession of the Republic of Serbia to the EU.

## **III 2. Harmonization of the institutional framework and administrative capacities**

### **III 2.a. General**

In order to further harmonize with Regulation (EU) 2018/1999, it is necessary to strengthen the existing administrative capacity by hiring and filling the vacant post in the Ministry of Mining and Energy, Department for Strategic Planning in Energy (1 employee) as well as to employ new civil servants and strengthen administrative capacities in the Ministry of Environmental Protection, in the Department for Climate Change.

### **III 2.b. Hydrocarbons**

In order to ensure the correct application of Regulation (EU) 2964/95 and Commission Decision 1999/280. It is necessary to strengthen the existing administrative capacities by hiring and filling the vacant post in the Ministry of Mining and Energy, Oil and Gas Sector (1

employee). Also, it is necessary to upgrade the database of the Ministry of Mining and Energy, Sector for Oil and Gas in a way that includes an expanded scope of data, in order to fully report to the competent institutions. For that purpose, in 2021, it is planned to conduct a public procurement for the upgrade and maintenance of this database. Also, it is necessary to strengthen administrative capacities by filling the vacant post in the Oil and Gas Sector.

The Energy Reserves Administration plans to improve its administrative capacity for the implementation of EU Directive 119/2009 by increasing the number of employees to 10 until the end of 2022.

For full compliance with Directive no. 94/22/EC it is necessary to employ additional officials in the Sector for Geology and Mining of the Ministry of Mining and Energy, as well as to provide adequate training for current employees.

### **III 2.c. Internal energy market**

In order to ensure the correct application of Directive 2009/73/EC and Regulation no. 715/2009, it is necessary to strengthen administrative capacities and fill vacant posts (two positions) in the Ministry of Mining and Energy, Oil and Gas Sector.

In order to ensure the correct transposition and coordination of the implementation of EU Regulation 1227/2011, it is necessary to strengthen administrative capacities and fill vacant posts in the Ministry of Mining and Energy in order so that regulations related to implementation could be adopted within the legally prescribed deadline.

To ensure proper transposition and coordination of the implementation of the Regulation EU no. 347/2013 it is necessary to strengthen administrative capacities and fill vacant posts in the Ministry of Mining and Energy so that the regulations for the implementation could be adopted within the legally prescribed deadline.

In order to ensure proper transposition and coordination of the implementation of Commission Regulations EU 2015/703, EU 2017/459, EU 2017/460 and EU 312/2014, it is necessary to fill the vacant posts in the Ministry of Mining and Energy, Oil and Gas Sector.

In order to ensure the monitoring of the implementation of Directive 2009/72/EC and the regulations to which it has been transposed, it is necessary to strengthen the administrative capacities and fill vacant posts in the Ministry of Mining and Energy.

In order to ensure monitoring of the application of Regulation 714/ 2009 and the regulations to which it has been transposed, it is necessary to strengthen administrative capacities and fill vacant posts in the Ministry of Mining and Energy.

In the Sector for electricity, it is necessary to strengthen the existing administrative capacities, increase the number of employees working on the transposition, implementation and application of the *acquis communautaire* in the field of electricity by ten.

Human resources and information infrastructure AERS needs to be further strengthened in the upcoming period due to increased workload (implementation of the work of regulatory bodies from the third package of regulations on the EU internal energy market<sup>5</sup>, as well as the implementation of the work from the new package of regulations "Clean Energy for All Europeans"). The main obstacle to increasing the number of employees is the limited competitiveness of AERS in the labor market in attracting and retaining energy experts with appropriate qualifications and experience. Despite occasional bottlenecks, for now AERS is managing to avoid significant consequences of the suboptimal number of employees on the most important activities of the organization by prioritizing work. Until the accession of RS to the EU, the Energy Agency will continue to continuously strengthen administrative capacities with the aim of implementing all obligations arising from the *acquis communautaire*. The Agency currently has 46 employees and plans to increase the number of employees to 61 (including 5 members of the Council) by December 31, 2024. During 2021/2022 it will strengthen the IT infrastructure through the project from the IPA 2018 program "Support to the Energy Agency of the Republic of Serbia (AERS) for Energy Market and Network Infrastructure Data Collection and Analysis". In addition, the Agency applied for funds from the IPA III program (program years 2023 and 2024) to carry out a twinning project to support the implementation of the part of the EU package of regulations "Clean Energy for All Europeans" related to the work of the national regulatory body.

### **III 2.d. Security of supply**

In order to ensure the correct application of Regulation (EU) 2017/1938, it is necessary to fill the vacant post in the Ministry of Mining and Energy, Oil and Gas Sector.

In order to ensure the monitoring of the implementation of Directive 2005/89/EC and the regulations to which it has been transposed, it is necessary to strengthen the administrative capacities and fill vacant posts in the Ministry of Mining and Energy.

### **III 2.e. Renewable energy sources**

In order to ensure the monitoring of the implementation of Directive (EU) 2018/2001 and the regulations to which it has been transposed, i.e. will be transposed, the strengthening of

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<sup>5</sup>From the functional analysis done within the twinning project "Capacity Building for the Energy Agency of the Republic of Serbia" (2014) it follows that the adequate number of employees for the implementation of the 3rd package is about 55.

administrative capacities by filling vacant posts in the Ministry of Mining and Energy is underway. In the following period, they will further increase the administrative capacities in this area by increasing the number of executors, and then by filling the vacant posts by announcing a competition according to the dynamics approved by the Ministry of Finance.

### **III 2.f. Energy efficiency**

The law (ZEERUE) envisages the establishment of the Directorate for Financing and Encouraging Energy Efficiency as a body within the Ministry of Mining and Energy with the status of a legal entity. The Directorate should have the status of a legal entity and adequate human resources that will enable incentive funds to be allocated to other beneficiaries in addition to local self-government units, which was not the case before. It is especially important that the funds will be available to citizens through financing models in which local self-government units, companies that perform works on energy rehabilitation and the banking sector will participate. The Administration is expected to be established in July 2021.

A pilot project for allocating funds to citizens is expected during 2021, while larger-scale activities are expected at the beginning of 2022. The funds will be provided from the budget and funds from international financial institutions. In order to build the capacity of the administration and further improve the financing mechanisms, technical assistance from the IPA funds for 2021 is expected. Funds for pilot activities are also expected from these funds. The establishment of the administration will significantly improve the capacity to implement policies related to energy efficiency.

Improving the legal framework, through the amendments to the Law on Planning and Construction and the Rulebook in the field of energy efficiency of buildings, as well as the adoption of a long-term strategy to encourage investment in the reconstruction of the national building fund will cause the need for increase of the administrative capacity of MoCTI. It is planned that future job systematizations envisage new posts related to the strengthening of the energy certification control system, as well as new posts for the implementation of the Long-Term Strategy.

### **III 2.h. Nuclear energy**

In the absence of any production of nuclear energy, this section is of limited importance.

The Nuclear Safety Regulatory Authority was established in 2009 and its administrative, financial and technical capacities have significantly improved in the past period.

### **III 2.i. Euratom: Community, Treaty, Council Directive 2009/71/Euratom of 25 June 2009 on the nuclear safety of nuclear installations and the accession to international conventions.**

Upon the adoption of the Law on Radiation and Nuclear Safety and Security (Official Gazette of RS, no.95/18 and 10/19) the powers of the regulatory body have been significantly expanded, including the power to conduct inspections, thus merging regulatory activities into one body. The Department for Inspection Supervision has five inspectors who are responsible for supervising the implementation of radiation and nuclear safety measures. The achieved administrative, financial and professional capacities are sufficient for the current scope of activities. Having in mind the future obligations and activities, it is necessary to further strengthen the professional capacities until the end of 2023 in accordance with the number of employees approved by the Government Decision.

Process to access status and optimal future use of the RB research reactor has been initiated by the PC Nuclear Facilities of Serbia.

The decommissioning of the facilities no longer in operation, RA research reactor and closed uranium mine and hydrometallurgical plant has not started. This remains an open issue whose resolution must begin before EU accession. Having in mind the scope of work and the necessary financial resources, solving the problem of decommissioning has a long-term character and cannot be completed on the day of EU accession.

### **III 2.j. Radiation protection**

For the implementation of regulations in the field of application of radiation sources in medicine, it is necessary to strengthen professional capacities in terms of prescribing obligations and the number of medical physicists in accordance with all activities in which they are recognized as necessary. This is a continuous process that implies the active participation of the Ministry of Health and continues after Serbia's accession to the EU.

In order to implement the process of justifying new activities, it is necessary to harmonize with the regulation issued by the Ministry of Health.

In order to recognize experts in the field of radiation protection, it is necessary to strengthen professional capacities and recognize their role within each radiation activity.

In the Republic of Serbia, there is a network of authorized laboratories that monitor radioactivity in the environment. Serbia has a network of measuring stations for early notification of a radiological accident and exchanges data within the European Radiological Data Exchange Network (EURDEP).

Within the project of the European Commission for the Western Balkans, which is expected to start in 2021, it is planned to expand the capacity for early warning of a nuclear or radiological accident through the procurement of new, modern measuring stations.

As part of the EC project to improve the system for readiness and response to nuclear or radiological emergencies, JRODOS, a decision support system, has been installed in Serbia. The full implementation of JRODOS is expected through the revision of the Regulation on the action plan in case of an accident and should be completed by the end of 2023.

### **III 2.k. Radioactive waste and spent fuel management**

Upon the adoption of the Law on Radiation and Nuclear Safety and Security (Official Gazette of RS, no.95/18 and 10/19) the authority to perform inspection supervision over facilities for management of radioactive waste and spent fuel has been transferred to the regulatory body.

All activities related to the management of radioactive waste and spent nuclear fuel are performed by the Public Company "Nuclear Facilities of Serbia", which is the operator of the storage of radioactive waste and spent radiation sources.

The H3 solid radioactive waste storage facility and the safe storage of BS radiation sources have been in use since 2012. The adaptation of the facility for the treatment of radioactive waste is in the final phase and it is expected that this plant will receive a license for trial operation by the end of 2021.

The old hangars for radioactive waste have been closed and their decommissioning is planned. Removal of existing radioactive waste from those storages and liquid waste tanks is planned. The technical assistance contracted by DG INTPA is the first step on this way.

It is necessary to assign clear responsibilities for the establishment of radioactive waste disposal in the legal system of radiation and nuclear safety and security of the Republic of Serbia which entails this facility's all lifecycle phases from siting, through design, construction, commissioning, operation to the closure of the facility and the establishment of the post-closure institutional control of the facility site. The Government of the Republic of Serbia, at the proposal of the PC Nuclear Facilities of Serbia that is consented by the Directorate, should bring the decision on the need to construct radioactive waste disposal facility, and the type of disposal facility in line with the waste inventory in the Republic of Serbia. It is necessary to define all specific steps in the facility development and licensing (or more than one facility if necessary due to different types of waste), as well as the allocation of responsibilities, and relevant financial and other resources.

### **III 2.l. Application of safeguards**

Relating to number of employees with duties in the area of application of safeguards, it is necessary to further strengthen the professional capacities of Serbian Radiation and Nuclear Safety and Security Directorate until the end of 2023 in accordance with the number of employees approved by the Government Decision.

The Institute of Nuclear Sciences "Vinca" and the Public Company "Nuclear Facilities of Serbia" have a sufficient number of employees with the appropriate knowledge necessary to fulfill the obligations related to the application of safeguards.

Having in mind the necessary adjustment of the mechanism of application of safeguards for the implementation of Regulation 302/2005, it is necessary until the moment of accession of the Republic of Serbia to the European Union:

- organize a seminar/workshop for legal entities covered by this Regulation in order to get acquainted with the new mechanism and identify differences in relation to the current regime and be able to provide all required safeguards-related information upon accession;
- prepare the guidelines in accordance with Recommendation 2006/40 for the implementation of Regulation 302/2005;
- conduct discussions with the IAEA and undertake all necessary preparatory steps for the agreement between the Republic of Serbia, Euratom and the International Atomic Energy Agency to take place.

### **III 2.m. Fuel supply**

Having in mind the fact that the Republic of Serbia is not interested in participating in the capital and advisory committee of the Fuel Supply Agency, it is not necessary to establish additional institutional infrastructure.

### **III 3. Planned measures and activities to achieve full compliance and justify the requirements related to negotiations.**

#### **III 3.a. General**

The Ministry of Mining and Energy is ready to align legislation with the *acquis communautaire* regarding Regulation (EU) 2018/1999 of the European Parliament and the Council in the part related to the development and reporting on the Integrated National Energy and Climate Plan. The dynamics of harmonization of the Republic of Serbia with other provisions of the Regulation, the transposition and implementation of which is within the competence of the Ministry of Environmental Protection, will be presented in the Negotiating Position for Negotiating Chapter 27.

#### **III 3.b. Hydrocarbons**

Current implementation measures are ongoing. The National Assembly of the Republic of Serbia adopted the Law on Amendments to the Law on Energy and started the public procurement procedure for upgrading and maintaining the database of the Ministry of Mining and Energy, Oil and Gas Sector. The Republic of Serbia is ready to fully align legislation with the *acquis communautaire* regarding Regulation (EU) 2964/95 and Commission Decision 1999/280/EC by the end of 2021.

The Republic of Serbia is ready to establish emergency oil stocks fully aligned with the EU Directive 119/2009 and its amendments by 31 December 2022 – in line with the Ministerial Council Decision 2012/03/MC-EnC .

Given that pursuant to Directive no. 94/22/EC approvals for exploration and exploitation of hydrocarbons in liquid and gaseous state (oil and gas) and other natural gases, the Ministry shall issue approvals to companies, selected on the basis of a public tender procedure, which will be conducted by the competent ministry, additional funds will be needed to conduct the same tender, which will include the costs of preparing and translating the tender documents.

Activities are also planned, including non-legislative measures - development of strategies and action plans, programs, regulations. It is planned to adopt the Strategy for the Management of Mineral and Other Geological Resources of the Republic of Serbia, which determines the long-term goals of mining development and geological exploration of energy, metallic, non-metallic and technogenic mineral raw materials, groundwater and geothermal resources and determines the projection of the need for all types of mineral raw materials, development of the mining sector and geological exploration, as well as projections of imports and exports of all types of mineral resources in the Republic of Serbia, taking into account economic, regional, environmental and social aspects. The strategy is adopted by the National Assembly after the proposal of the Government for a period of at least ten years.

The preparation of the Strategy is planned to commence after the preparation of the Energy Strategy, the development of which has commenced in the beginning of 2021. The Strategy of Mineral and Other Geological Resources Management of the Republic of Serbia should be harmonized with the Energy Strategy, future Integrated Energy and Climate Plan for the period 2021-2030 as well as other adopted strategies related to mining sector.

Taking into account the obligations arising from Directive no. 94/22/EC, the transitional and final provisions of the Law on Mining and Geological Exploration (Official Gazette of RS, No. 101/15 and 95/2018 – other law and 40/21) stipulate that the provisions of the Law related to the transposition of Directive 94/22/EC apply from the date of accession of the Republic of Serbia to the European Union.

### **III 3.c. Internal energy market**

The Republic of Serbia is ready to fully align its legislation with the acquis communautaire regarding Directive 2009/73/EC in accordance with the adopted Action Plan for the certification of Transportgas Srbija Ltd. and the Plan for the implementation of activities for the purpose of certification of Jugorosgaz - transport Ltd. The said action plans were adopted by the Government on 16 May 2021 in its Conclusion number: 023-4526/2021.

Harmonization of the text of the Action Plan for the implementation of activities for the purpose of reorganization of PC Srbijagas Novi Sad with the European Commission and Energy Community Secretariat is currently under way.

The issue of certification of Gastrans Ltd is fully within the competence of the Energy Agency of the Republic of Serbia as an independent regulatory body. During the accession negotiations, the regulatory regime of Gastrans needs to be reviewed in view of compliance with EU legislation.



Measures are currently being implemented for Regulation no. 715/2009, and the assessment of the situation indicates that the Republic of Serbia can align its legislation with the *acquis communautaire* within a period that does not require a transitional period.

The Republic of Serbia is ready to fully align its legislation with the *acquis communautaire* in relation to Regulation no. 715/2009 by the end of 2021.

Measures for EU Regulation 1227/2011 are currently being implemented. The draft Law on Amendments to the Law on Energy has been prepared and was adopted by the National Assembly of the Republic of Serbia at the session held on April 21, 2021. The Republic of Serbia is ready to fully align its legislation with the *acquis communautaire* in relation to EU Regulation 1227/2011 by the end of 2021.

Measures are currently being implemented regarding the EU Regulation no. 347/2013. The Law on Amendments to the Law on Energy was adopted on April 21, 2021. The regulation for implementation will be passed within the legally prescribed deadline, during the fourth quarter of 2021. The Republic of Serbia is ready to fully align its legislation with the *acquis communautaire* regarding the EU Regulation no. 347/2013.

Implementing measures for EU Commission Regulations 2015/703, EU 2017/459, EU 2017/460 and EU 312/2014 are currently underway. The draft Law on Amendments to the Law on Energy has been prepared and was adopted by the National Assembly of the Republic of Serbia at the session held on April 21, 2021. The Energy Agency of the Republic of Serbia has started activities on the adoption of instructions for the preparation of network rules harmonized with the obligations of the Republic of Serbia confirmed by international agreements on the basis of which transmission system operators will make a proposal of network rules, which they are required to make in accordance with the Law on Energy and acquire consent from the Agency for Energy of the Republic of Serbia and finally deliver them to the Ministry of Mining and Energy. The Republic of Serbia is ready to fully align its legislation with the *acquis communautaire* regarding EU Regulations 2015/703, EU 2017/459, EU 2017/460 and EU 312/2014 by the end of 2021.

The implementation of the regulations to which Directive 2009/72/EC has been transposed will be monitored, and the Republic of Serbia is ready to fully align its legislation with the *acquis communautaire* regarding Directives 2009/72/EC.

Regarding Regulation 714/2009, there are no planned measures and activities other than monitoring the implementation of the regulations to which this Regulation has been transposed. The Republic of Serbia is ready to fully align its legislation with the *acquis communautaire* regarding the EU Regulation no. 714/2009.

In order to ensure the correct transposition and coordination of the implementation of EU Regulation 838/2010, it is necessary that the bodies responsible for the implementation of the Regulation take all necessary actions in order for the Regulation, i.e. the regulation to which it has been transposed, to be fully implemented. There are no specifically planned measures and

activities. The Republic of Serbia is ready to fully align its legislation with the *acquis communautaire* in relation to EU Regulation 838/2010.

The regulations that make up the legislative framework into which it has been transposed EU Regulation no. 543/2013 are conducted and the necessary data is collected. The Republic of Serbia is ready to fully align its legislation with the *acquis communautaire* in relation to Regulation no. 543/2013.

Implementing measures for EU Commission Regulations 2016/631, EU 2016/1388, EU 2016/1447 are currently underway. The Republic of Serbia is ready to fully align its legislation with the *acquis communautaire* in relation to EU Regulations 2016/631, EU 2016/1388, EU 2016/1447.

In accordance with Regulation (EC) No. 2016/1952, the Statistical Office of the Republic of Serbia will continue its regular activities, i.e. to collect, process and submit average semi-annual prices paid by end-users of electricity and natural gas to EUROSTAT, twice a year at the beginning of each six-month period.

### **III 3.d. Security of supply**

Implementation measures are currently underway, and regular meetings are being held. Special working groups for monitoring security of energy and energy supply. Every year, the Ministry prepares the Report on the security of supply for the previous year and submits it to the competent committee of the National Assembly and the Secretariat of the Energy Community. The Republic of Serbia is ready to fully align its legislation with the *acquis communautaire* regarding Regulation (EU) 2017/1938 by the end of 2022.

The implementation of the regulations to which Directive 2005/89/EC has been transposed will be regularly monitored and a Report on Security of Supply will be prepared. The Republic of Serbia is ready to fully align its legislation with the *acquis communautaire* regarding Directive 2005/89/EC.

### **II 3.e. Renewable energy sources**

The Republic of Serbia is ready to align its legislation with the *acquis communautaire* in relation to Directive (EU) 2018/2001.

### **III 3.f. Energy efficiency**

The Republic of Serbia is ready to fully align its legislation with the *acquis* in the field of energy efficiency.

### **III 3.h. Nuclear energy**

In the absence of any production of nuclear energy, this section is of limited importance.

### **III 3.i. Euratom: Community, Treaty, Council Directive 2009/71/Euratom of 25 June 2009 on the nuclear safety of nuclear installations and the accession to international conventions.**

Further measures and activities to achieve full transposition of Council Directive 2009/71/Euratom, after accession, are not needed. Planned activities concerning research reactors RA and RB will improve nuclear safety framework as required by Directive.

The Government of the Republic of Serbia adopted decision on repatriation of spent nuclear fuel from RA research reactor and its decommissioning in 2004. Spent nuclear fuel was repatriated to the Russian Federation in 2010. Preparation for decommissioning was partially done. Since the shipment of spent nuclear fuel, no decommissioning activities have been performed. Due to complexity of structures, systems and components, decommissioning of the RA research reactor would require more time and funds.

The zero-power RB research reactor is currently out of operation due to lack of scientific and research interest.

Strategy of Radiation and Nuclear Safety is planned to be adopted by the end of 2023 in accordance with the law. Strategy will include Action Plans defining stages and timeframes for its implementation. This Strategy will cover issues of decommissioning of the RA research reactor and analysis of further status for RB research reactor – decommissioning or further use for scientific purposes.

### **III 3.j. Radiation protection**

Full harmonization of national legislation with the provisions of Council Directive 2013/59/ will be achieved by adopting or amending bylaws in the field of radiation protection.

In addition to the adoption or amendment of these bylaws, in order to comply with this Directive, it is necessary to perform the following activities:

1) In order to fully comply with the provisions relating to the recognition of experts in the field of medical physics:

Perform a needs analysis for experts in the field of medical physics depending on the field of application of radiation sources in medicine;

Perform an analysis of staff education programs in the field of medical physics and their continuing professional education;

Perform an analysis of the recognition of a group of individuals as experts in the field of medical physics in order to better cover all areas of application of radiation sources in medicine;

Perform an analysis of the application of quality assurance prescribed in one of the envisaged regulations;

2) In order to fully comply with the provisions relating to the identification of experts in the field of radiation protection:

Perform a needs analysis for experts in the field of radiation protection depending on the field of application of radiation sources;

Carry out an analysis of personnel training programs in the field of radiation protection and their continuous professional education;

Perform an analysis of the recognition of a group of individuals as experts in the field of radiation protection in order to better cover all areas of application of radiation sources;

3) In order to fully comply with the provisions relating to abandoned radiation sources:

Prepare a program for searching for and disposing of abandoned sources;

Perform an administrative search;

Perform a physical search;

Remove the sources from the locations where they are present and hand them over to the central warehouse;

For these activities, it is necessary to first perform a financial assessment of the required funds and then provide the estimated financial resources.

4) In order to fully comply with the provisions relating to NORM activities:

Carry out identification, then analysis of those industries that use NORM materials from the aspect of assessment of exposure to ionizing radiation of workers and the population;

Establish a methodology that prescribes appropriate technical analyzes and ways to assess the exposure to ionizing radiation of workers and the population from NORM industries using a graded approach;

After the performed assessments, prescribe the conditions of regulatory control for individual NORM industries.

5) In order to fully comply with the provisions relating to the identified situations of the existing exposure:

Prescribe a reference level for radon in the living space and work environment;

Identify and assess the workers' exposure to radon in the workplace;

Establish regulatory control for identified jobs;

Adopt recommendations and methodologies to reduce the concentration of radon in the living space and workplaces, as well as recommendations for remediation.

For these activities, it is necessary to first perform a financial assessment of the required funds and then provide the estimated financial resources.

The implementation of the Decree on the Accident Action Plan requires the strengthening of the human resources of the Serbian Radiation and Nuclear Safety and Security Directorate. It is also necessary to establish a training program for all participants in the response to a nuclear or radiological accident:

- Ministry of Interior, Sector for Emergency Situations

- Ministry of Foreign Affairs

- Ministry of Finance, Customs Administration of the Republic of Serbia
- Ministry of Environmental Protection
- Ministry of Health
- Ministry of Construction, Transport and Infrastructure
- Ministry of Defense
- Ministry of Agriculture, Forestry and Water Management
- Ministry of Education, Science and Technological Development
- Local self-government units
- Republic Hydrometeorological Service of Serbia
- Authorized technical services
- PC "Nuclear facilities of Serbia"
- Users of radiation sources

For these activities, it is necessary to first perform a financial assessment of the necessary funds and then provide the financial resources needed to conduct training and coaching.

### **III 3.k. Radioactive waste and the management of spent fuel**

Activities on the decommissioning of the old radioactive waste hangars and the RA research reactor have not yet started. Given the timeframe for decommissioning, which may be several years, this process will last for 20 years after Serbia's accession to the European Union.

All radioactive waste stored in old radioactive waste hangars should be disposed of, treated and stored or stored for a longer period of time in accordance with national and international standards and principles until delivery to the disposal site. These activities include checking the conditions in the facilities, as well as their eventual decommissioning in order to achieve the necessary safety and security in all facilities, as well as the environment that surrounds them.

One of the conditions that the Republic of Serbia must meet in the process of accession to the European Union is prescribed by Article 37. The Euratom Treaty, which obliges a member state to prepare plans for the disposal of radioactive waste.

Activities regarding radioactive waste disposal that have to be done include:

- defining a national policy for long-term management of various types of radioactive waste;
- establishing clearly defined legal, technical and financial responsibilities for the organizations that will be involved in the development of radioactive waste management facilities, including facilities for the disposal of all types of radioactive waste;
- ensuring the adequacy and security of financial reserves for each disposal facility;
- defining the entire process of site selection, design, operation and closure of disposal facilities, including legal and regulatory requirements at each step as well as decision-making processes and stakeholder involvement;
- ensuring that the necessary scientific and technical capacity is always available to both the licensee and the regulatory body, and
- defining legal, technical and financial responsibilities and, if necessary, ensuring the implementation of the processes envisaged after the closure of the facility for the purpose

of institutional control to ensure radiation and nuclear safety and security of disposed radioactive waste and spent fuel.

Given the timeframe for establishing a radioactive waste repository, which could be decades, this process will take 30 years after Serbia's accession to the European Union.

According to the Draft of National Spent Fuel and Radioactive Waste Management Strategy timeframe for establishment of conditions for radioactive waste disposal was envisaged as it is given in Appendix 5.

At the moment, there is no spent fuel in the Republic of Serbia. The fuel that exists is still in the RB reactor core, and in its dry storage, as optional reserves for different RB reactor core configurations. The timing of when that fuel could become spent is related to making a decision on the future status of the reactor. If a decision is made to decommission the reactor, at the same time there will be a need to make a decision on how to store spent fuel. In that case, the Government of the Republic of Serbia should make a decision on the manner of managing spent fuel on the basis of a reasoned proposal of the PE "Nuclear Facilities of Serbia", as an operator, with the prior approval of the Serbian Radiation and Nuclear Safety and Security Directorate.

### **III 3.l. Application of safeguards**

Taking into account the existence of an appropriate institutional framework and many years of experience in the application of guarantees, additional activities after accession to the European Union that would be subject to negotiations are not necessary.

### **III 3.m. Fuel supply**

Bearing in mind the fact that the Republic of Serbia is not interested in participating in the Capital and Advisory Committee of the Fuel Supply Agency it is not necessary to take special measures.

## **IV. ACCEPTANCE OF THE ACQUIS**

The Republic of Serbia fully accepts the EU acquis on Chapter 15 "Energy" as it reads on 1 January 2021, with the exception of the following specific adjustment requirements:

1. Council Directive 2009/71/Euratom, Article 1, for the effective application and continuous improvement of nuclear safety framework of which the Republic of Serbia requests a transitional period of 20 years from the date of accession to the EU;

2. Council Directive 2011/70/Euratom, Article 4, paragraph 4, for the effective application of which the Republic of Serbia requests a transitional period of 30 years from the date of accession to the EU.

The Republic of Serbia will implement the remaining *acquis communautaire*, i.e. those which came into force after January 1, 2021, until EU accession, in line with the results of the negotiations in this chapter.

LIMITE

## **Appendix 1. Bilateral Agreements - Applicable international agreements, concerning the Euratom**

The Agreement between the Government of SFRY and the Hungarian People's Republic for Cooperation in the Peaceful Uses of Nuclear Energy (Official Gazette of SFRY - International Agreements No. 12/1996);

The Agreement between the Federal Executive Council of the SFRY Parliament and the Islamic Republic of Pakistan for Cooperation in the Use of Nuclear Energy for Peaceful Purposes (Official Gazette of SFRY- International Agreements No. 08/86);

The Agreement between the Governments of the FPR Yugoslavia and the Polish People's Republic for Cooperation in the Use of Nuclear Energy for Peaceful Purposes (Official Gazette of SFRY Addendum – International Agreements No. 2/1958);

The Agreement between SFRY and SR Romania for Scientific and Technical Cooperation in the Use of Nuclear Energy for Peaceful Purposes (Official Gazette of SFRY – International Agreements, No. 3/1968);

The Agreement between Yugoslavia and USSR on Further Cooperation in the Use of Atomic Energy for Peaceful Purposes (Official Gazette -Addendum-International Agreements No. 13/1963);

The Agreement between the FPR Yugoslavia and the USA for Cooperation in the Peaceful Use of Atomic Energy (The Official Gazette – Addendum No. 3/1961);

Agreement between the Government of the Socialistic Federal Republic of Yugoslavia and the Government of the CSSR on Cooperation in Peaceful Uses of Nuclear Energy (Official Gazette of SFRY – Addendum – International Agreements, No. 04/68);

Protocol on Cooperation in the Peaceful Use of Nuclear Energy between Yugoslavia and Czechoslovakia (Official Gazette of SFRY – IA No. 22/71);

Intergovernmental agreement between the Republic of Serbia and the Russian Federation on cooperation in the field of nuclear energy use for peaceful purposes based on proven and innovative technologies (Official Gazette RS – International Agreements, No. 02/18);

The Law on Ratification of the Agreement between the Government of the Republic of Serbia and the Government of Hungary for the Early Exchange of Information in the Event of Radiological Emergency (Official Gazette of RS – International Agreements, No. 19/2015).



**Appendix 2. Action plan Schedule of implementation of the Action Plan for Establishment and Maintenance of Emergency Stocks of Crude Oil and Oil Products June 2021 – December 2026**

<b>Legal and strategic framework</b>				
<b>Measure</b>	<b>Authorised institution</b>	<b>Deadline</b>	<b>Indicator</b>	<b>Financing</b>
Adoption of the new Long-term plan for the establishment and maintenance of emergency oil stocks	Ministry of Mining and Energy Directorate for Emergency Oil Stocks Ministry of Finance	September 2021	Adjustment with this version of the Action Plan	-
Adoption of the new Mid-term plan for the establishment and maintenance of emergency oil stocks	Ministry of Mining and Energy Directorate for Emergency Oil Stocks Ministry of Finance	September 2021	Adjustment with this version of the Action Plan and the new Lon-term plan	-
Conclusion of the <i>processing agreement</i> or the <i>crude for products swap agreement</i> between the Administration and the domestic refiner	Ministry of Mining and Energy Directorate for Emergency Oil Stocks Ministry of Finance	September 2021	Critical precondition for purchase of crude oil stocks fulfilled	-
Change of the Commodity Reserves Law	Directorate for Emergency Oil Stocks Ministry of Mining and Energy	March 2022	Harmonization with the audit report of the State Audit Institution	-
Amending the Regulation on methodology, data collection and processing on daily net imports, average consumption and amount of emergency stocks of oil and oil products	Ministry of Mining and Energy RS Bureau of Statistics	December 2021	Amendments of the Directive 2009/119/EC transposed	-
Introduction of Monthly Oil Statistics (MOS) Questionnaire (version 2021.1)	RS Bureau of Statistics	January 2023	Submissions of the MOS to Eurostat	
Adoption of the Law on Excise Duties in compliance with the Directive 2008/118/EC	Ministry of Finance	December 2022	Procurement of emergency stocks within system of delayed excise payment	Budget RS and donation funds
Concluding inter-governmental agreements on maintaining of emergency stocks (Germany, Hungary, Italy and Romania)	Ministry of Mining and Energy Ministry of Foreign Affairs	December 2024	Ensuring fulfilment of obligation by storing emergency stocks abroad	-

### Institutional and administration framework

Measure	Authorised institution	Deadline	Indicator	Financing
Staffing of the Administration of Energy reserves	Ministry of Mining and Energy Administration of Energy Reserves	December 2022	Increased number of staff in the Administration from 4 to at least 8	Budget RS

### Establishment of emergency stocks

Measure	Authorised Institution	Deadline	Indicator	Financing
Establishment of emergency stocks	Directorate for Emergency Oil Stocks of RS	December 2021	15,000 tons of mazut and 26,000 tons of crude oil purchased by the Administration	Budget RS
		December 2022	3,000 tons of jet-fuel, 17,000 tons of gasoline and 17,000 tons of crude oil purchased by the Administration physically and 112,000 tons of products (diesel and gasoline) in tickets; 155,000 tons of diesel and 50,000 tons of gasoline purchased by the Private partners; Established emergency stocks in the amount of 61 days of average daily consumption	Budget RS and private partners
		30 June 2023	33,000 tons of diesel purchased by the Administration physically and 14,000 tons of gasoline and 65,000 tons of diesel in tickets (1 year contract) Established emergency stocks in the amount of 61 days of average daily consumption	Budget RS
		30 June 2024	33,000 tons of diesel purchased by the Administration in physical and 14,000 tons of gasoline and 32,000 tons of diesel in tickets (1 year contract) Established emergency stocks in the amount of 61 days of average daily consumption	Budget RS
		30 June 2025	16,000 tons of jet-fuel purchased physically and 14,000 tons of gasoline and	Budget RS

Measure	Authorised Institution	Deadline	Indicator	Financing
			16,000 tons of diesel in tickets (1 year contract) Established emergency stocks in the amount of 61 days of average daily consumption	
		30 June 2026	16,000 tons of jet-fuel purchased physically and 14,000 tons of gasoline in tickets Established emergency stocks in the amount of 61 days of average daily consumption	Budget RS

### Provision of storage capacities

Measure	Authorised institution	Deadline	Indicator	Financing
Construction of 40,000 m <sup>3</sup> (2 x 20,000 m <sup>3</sup> in Smederevo)	Directorate for Emergency Oil Stocks of RS	June 2023	Use permit issued by the authorized state authority and deferred tax regime allowed by authorized tax authority	Budget RS
Utilization of existing and storage capacities to be built to store 205,000 tons of oil products (PPP)	Directorate for Emergency Oil Stocks	June 2025	Use permit issued by the authorized state authority and deferred tax regime allowed by authorized tax authority	Private partners
Construction of 45,000 m <sup>3</sup> (Batajnica)	Transnafta	June 2026	Use permit issued by the authorized state authority and deferred tax regime allowed by authorized tax authority	Transnafta

### Public-private partnership

Activity	Authorised institution	Deadline	Indicator	Financing
Appointment of the PPP Working Group	Ministry of Mining and Energy	June 2021	Working group established	
Preparation of the supporting documents for the decision to	Directorate for Emergency Oil	October 2021	Approval obtained from the Ministry of Finance,	Budget RS

proceed with a PPP	Stocks, Ministry of Mining and Energy and Ministry of Finance		the Commission for PPP and other relevant institutions	
Final decision to proceed with the PPP		November 2021	Approval obtained from the Government of the Republic of Serbia	
Preparation of the tender documentation and tender launching		January 2021	Tender launched	Budget RS
Awarding and contracting		September 2022	Contract(s) concluded	
Purchase of stocks	Public partner(s) and Directorate for Emergency Oil Stocks	31 December 2022	Quality and Quantity Report(s) issued by the independent inspection company and confirmed by the relevant authority of the host country	Private partner(s)

**Appendix 3 - Plan for the implementation of activities for the purpose of certification of Jugorosgaz - transport Ltd. according to the model of the Independent Transmission Operator (ITO).**

NO.	ACTIVITY	DEADLINE from the date of entry into force of the Protocol amending the Bilateral Agreement	PRINCIPAL BODY IN CHARGE OF ACTIVITY
1.	Entry into force of the Protocol on Amendments to the Bilateral Agreement between the Federal Government of the Federal Republic of Yugoslavia and the Government of the Russian Federation of April 11, 1996.	<p>ASSUMPTION: May 2021*</p> <p>The deadline for the entry into force of the Protocol on the Amendments to Interstate Agreement (ISA), i.e. the commencement of the application of the Plan for the implementation of the activities for the purpose of certification of Jugorosgaz Transport Llc. according to the model of an independent transport operator is 12 September 2021.</p>	Ministry of Mining and Energy of the Republic of Serbia and the Ministry of Energy of the Russian Federation, the Government of the Republic of Serbia and the Government of the Russian Federation, the National Assembly of the Republic of Serbia*
2.	Implementation of the update of the independent assessment of the market value of the Gas Transmission System Complex Jugorosgaz JSC. (Property) with the aim of transferring ownership rights Jugorosgaz JSC to Jugorosgaz - Transport Ltd.	5 weeks	Jugorosgaz JSC, independent appraiser*
3.	Implementation of corporate procedures for creating conditions for the transfer of assets from Jugorosgaz JSC. to	8 weeks	Jugorosgaz JSC, Jugorosgaz - Transport Ltd, Shareholders of Jugorosgaz JSC*

	the ownership of Jugorosgaz - Transport Ltd.		
4.	Making a decision of the management body on the transfer of assets from Jugorosgaz JSC. to Jugorosgaz - Transport Ltd.	10 weeks	Jugorosgaz JSC, Jugorosgaz - Transport Ltd, Shareholders of Jugorosgaz JSC*
5.	Creating conditions for the certification of Jugorosgaz - Transport Ltd. according to the ITO model	11 weeks	Jugorosgaz JSC, Jugorosgaz - Transport Ltd.
6.	Preparation of documents for certification according to the ITO model	11 weeks	Jugorosgaz - Transport Ltd.
7.	Establishment of the Program for ensuring non-discriminatory behavior of Jugorosgaz - Transport Ltd.	11 weeks	Jugorosgaz - Transport Ltd, AERS*
8.	Appointment of a person to monitor the non-discriminatory behavior program Jugorosgaz - Transport Ltd.	11 weeks	Jugorosgaz - Transport Ltd, AERS*
9.	Registration of decisions of the management bodies of Jugorosgaz JSC. and Jugorosgaz - Transport Ltd. in the Business Registers Agency (APR)	12 weeks	Jugorosgaz JSC, Jugorosgaz - Transport Ltd.
10.	Registration of Property in the Republic Geodetic Authority (RGZ) - line cadastre	16 weeks	Jugorosgaz JSC, Jugorosgaz - Transport Ltd.
11.	Submission of Requests for certification of Jugorosgaz - Transport Ltd. according to ITO model	16 weeks	Jugorosgaz - Transport Ltd.
12.	Adoption of an act on the price of access to the natural gas transport system	22 weeks	Jugorosgaz - Transport Ltd.
13.	Submission of a request for approval of the tariff for the transport of natural gas in	24 weeks	Jugorosgaz - Transport Ltd, AERS*

	accordance with the ownership of the property and the calculation of depreciation.		
14.	Determining the tariff for the transport of natural gas	26 weeks	Jugorosgaz - Transport Ltd.
15.	Certification of Jugorosgaz - Transport Ltd. according to ITO model	48 weeks**	AERS*
16.	Commencement of operation of the certified transmission system operator Jugorosgaz - Transport Ltd. according to the ITO model in accordance with the provisions of the Energy Law.	49 weeks	Jugorosgaz - Transport Ltd.

Note:

All deadlines are tied to the ratification of the Protocol amending the Bilateral Agreement and are presented in weeks since its entry into force.

\*the stated deadlines depend on the procedure of companies and state bodies.

\*\* Deadline depends on the Energy Agency of the Republic of Serbia (AERS) and the Secretariat of the Energy Community

## Appendix 4 Rulebook adoption plan to comply with Directive (EU) 2009/125/EC

Legal act of RS	Deadline for the adoption of regulations [quarter year]
Rulebook on eco-design requirements for "standby" and "ofmoud" electricity consumption of electrical and electronic household appliances and office equipment	II 2022
Rulebook on eco design power requirements	IV 2022
Rulebook on eco-design requirements for electronic screens	II 2022
Rulebook on eco-design requirements for computers and servers	III 2022
Rulebook on eco-design requirements for simple set-top boxing devices	I 2022
Rulebook on eco-design requirements for light sources	I 2022
Rulebook on eco-design requirements for engines	III 2023
Rulebook on eco-design requirements for circulating pumps	IV 2022
Rulebook on eco-design requirements for refrigerators	I 2022
Rulebook on eco-design requirements for washing machines	I 2022
Rulebook on eco-design requirements for dishwashers	I 2022
Rulebook on eco-design requirements for fans	I 2023
Rulebook on eco-design requirements for air conditioners	II 2022
Rulebook on eco-design requirements for water pumps	II 2023



Rulebook on eco-design requirements for a tumble dryer with a drum for households	II 2022
Rulebook on eco-design requirements for vacuum cleaners	III 2022
Rulebook on eco-design requirements for space heaters and combined heaters	III 2022
Rulebook on eco-design requirements for water heaters and hot water tanks	IV 2022
Rulebook on eco-design requirements for ovens, hobs and hoods for household use	II 2022
Rulebook on eco-design requirements for transformers	III 2023
Rulebook on eco-design requirements for ventilation units	I 2023
Rulebook on eco-design requirements for local space heaters on solid fuel	III 2022
Rulebook on eco-design requirements for local space heaters	III 2022
Rulebook on eco-design requirements for solid fuel boilers	III 2022
Rulebook on eco-design requirements for professional refrigeration appliances	I 2023
Rulebook on eco-design requirements for air heating devices, cooling devices, high-temperature process cooling devices and fan convectors	III 2023
Rulebook on eco-design requirements for refrigeration appliances with direct sales function	II 2022
Rulebook on eco-design requirements for welding equipment	IV 2023

## Appendix 5. Timeframe for establishment of conditions for radioactive waste disposal

Objective	Measure	Deadline	Performance Indicator
Establishment of Conditions for Radioactive Waste Disposal	Feasibility Study on Radioactive Waste Disposal	2 years following the Strategy adoption	Feasibility Study
	Determination of acceptance criteria, selection of candidate sites, public hearings, etc.	8 years following the selection of technology and site criteria	Studies Reports on public hearings
	Procedure of siting, safety analysis with waste acceptance criteria, preparation of Safety Case, design	10 years following the Strategy adoption	Site selected, known waste acceptance criteria, Safety Case, project completed
	Construction	5 years following the completion of design proposal	Exploitation permit for the facility
	Commissioning	2 years following the construction	License for facility trial run
	Operation	20 years following commissioning	License for facility operation
	Closure	5 years following the end of operations	License for facility closure
	Institutional control	300 years following closure (50 years active and 250 years passive)	Periodic reports