Nru. 52

MINISTERU GĦAR-RIŻORSI U AFFARIJIET RURALI

Registrazzjoni ta' *Solar Water Heaters, Solar Collectors* u Sistemi Fotovoltajiċi

BIEX ikompli jinkoraġġixxi t-titjib fl-użu tal-enerġija li jipproduċi l-pajjiż, il-Ministru responsabbli għar-Riżorsi u Affarijiet Rurali, qed iniedi din l-iskema li ġejja għar-reġistrazzjoni ta' *solar water heaters, solar collectors* u sistemi fotovoltajiċi li jnaqqsu l-użu ta' enerġija, jew jużaw għejun ta' enerġija li jiġġeddu.

SKEMA

1. Tifsir

F'din l-iskema, kemm-il darba r-rabta tal-kliem ma tkunx teħtieġ xorta oħra:

'applikazzjoni' tfisser applikazzjoni għal registrazzjoni li tkun saret b'dak il-mod kif meħtieġ minn u skond din l-iskema;

'Awtorità' tfisser l-Awtorità ta' Malta dwar ir-Riżorsi kif mwaqqfa bl-artikolu 3 tal-Att dwar l-Awtorità ta' Malta dwar ir-Riżorsi, Kap. 423 tal-Liġijiet ta' Malta;

'bejjiegħ' jew 'bejjiegħ bl-imnut' tfisser bejjiegħ jew bejjiegħ bl-imnut li jkun reġistrat mal-Awtorità bħala bejjiegħ jew bejjiegħ bl-imnut f'Malta ta' *solar water heaters, solar collectors* u sistemi fotovoltajiċi eliġibbli għall-finijiet ta' u skond din l-iskema;

'ċertifikat minn terza persuna' tfisser rapport finali minn korp ta' ċertifikazzjoni minn terza persuna li jkun jiddikjara li tagħmir jew sistemi jkunu skond *standards* meħtieġa minn din in-Notifika tal-Gvern;

'ċertifikazzjoni minn terza persuna minn korpi ta' ċertifikazzjoni' tfisser ċertifikazzjoni minn korpi li jkunu akkreditati u awtorizzati minn korpi ta' akkreditament li permezz ta' verifiki u valutazzjonijiet li jkunu saru, joħorġu ċertifikati fir-rigward ta' tagħmir eliġibbli wara li dan ikun għadda minn testijiet li jkunu saru minn laboratorju tal-ittestjar minn terza persuna;

'konsumatur aħħari' tfisser kull persuna li tixtri *solar water heaters, solar collectors* u sistemi fotovoltajiċi għall-użu personali tagħha u mhux għall-finijiet ta' bejgħ bl-ingrossa jew bl-imnut;

No. 52

MINISTRY FOR RESOURCES AND RURAL AFFAIRS

Registration of Solar Water Heaters, Solar Collectors and Photovoltaic Systems

IN order to further encourage the better use of the energy being generated by the country, the Minister responsible for Resources and Rural Affairs, has made the following scheme for the registration of solar water heaters, solar collectors and photovoltaic systems that reduce the use of energy, or use renewable sources of energy.

SCHEME

1. Interpretation

In this scheme, unless the context otherwise requires:

'application' means an application for registration made in such manner as required by and in terms of this scheme;

'Authority' means the Malta Resources Authority as established by Article 3 of the Malta Resources Authority Act, Cap. 423 of the Laws of Malta;

'seller' or 'retailer' means a seller or retailer who is registered with the Authority as a seller or retailer in Malta, of solar water heaters, solar collectors and photovoltaic systems eligible for the purposes, of and in terms of this scheme;

'third party certificate' means a final report from a third party certifying body which states that equipment or systems are in accordance with the standards required by this Government Notice;

'third party certification by certifying bodies' means certification from bodies accredited and authorised by accreditation bodies which through necessary verifications and assessments carried out, issue certificates with regard to eligible equipment after this has passed tests carried out by a third party test laboratory;

'final consumer' means any person that purchases solar water heaters, solar collectors and photovoltaic systems for own personal use and not for wholesale or retail purposes;

'korp ta' ċertifikazzjoni minn terza persuna' tfisser korp li jiġi preżentata bir-rapport ta' testijiet li jkunu saru minn laboratorju tal-ittestjar minn terza persuna. Dan il-korp għandu joħroġ ċertifikat ta' konformità ta' tagħmir jew sistemi ma' *standards* tekniċi;

'korpi ta' akkreditament' tfisser korpi li jakkreditaw korpi ta' ċertifikazzjoni u li jkunu membri tal-kooperazzjoni Ewropea għall-Akkreditament (*EA*) jew Forum Internazzjonali tal-Akkreditament (*IAF*) jew Ftehim ta' Għarfien Multilaterali (*MLA*);

'laboratorju tal-ittestjar minn terza persuna' tfisser organizzazzjoni indipendenti akkreditata li twettaq testijiet taħt ċerti kundizzjonijiet ikkontrollati li jsiru biex juru konformità ma' *standards* tekniċi tal-UE;

'produttur' tfisser produttur ta' *solar water heaters, solar collectors* u sistemi fotovoltajiċi li jiġu preżentati għal reġistrazzjoni taħt l-iskema;

'raġunijiet li jipprevalu relatati ma' l-interess pubbliku' tfisser ir-raġunijiet rikonoxxuti bħala tali fil-każistika tal-Qorti Ewropea tal-Ġustizzja, u hekk kif jistgħu jibqgħu jevolvu, inklużi dawn ir-raġunijiet li ġejjin:

il-politika pubblika, s-sigurtà pubblika u s-saħħa pubblika, l-ħarsien tar-riċevituri ta' servizzi, l-ħarsien tal-konsumaturi, l-prevenzjoni tal-frodi, l-prevenzjoni tal-kompetizzjoni inġusta, l-ħarsien tal-ambjent u l-protezzjoni ta' proprjetà intellettwali;

'riċevitur' tfisser kull persuna naturali li tkun ċittadina ta' Stat Membru jew li tibbenefika mid-drittijiet mogħtija lilha mill-atti Komunitarji, jew kull persuna ġuridika stabbilita fi Stat Membru, li, għal finijet professjonali jew mhux professjonali, tuża, jew tkun tixtieq tuża servizz mhux għal korrispettiv finanzjarju;

'sistema', 'sistemi', jew 'tagħmir' tfisser *solar water heaters, solar collectors* u panelli fotovoltajiċi u *inverters*, approvati mill-Awtorità bħala eliġibbli għal din l-iskema, meta jkunu konformi mal-ħtiġiet elenkati f'din in-Notifikazzjoni tal-Gvern;

'sistema fotovoltajika' tfisser sistema li tkun tikkonsisti f' *solar panels* u *inverters* li jkunu nstallati ġo fond, li minnhom enerġija mix-xemx tiġi mibdula f'enerġija elettrika;

'skema' tfisser l-iskema għal reġistrazzjoni ta' *solar water heaters, solar collectors* u sistemi fotovoltajiċi li jnaqqsu l-użu ta' enerġija u li jużaw għejun ta' enerġija li jiġġeddu;

'*solar collector*' tfisser il-parti tat-tagħmir ta' *solar water heater* li tiġbor l-enerġija termali mix-xemx;

'third party certifying body' means a body that is presented with the report of tests carried out from a third party test laboratory. This body shall issue a compliance certificate of equipment or systems to technical standards;

'accreditation bodies' means bodies which accredit certification bodies and which are members of the European co-operation for Accreditation (EA) or International Accreditation Forum (IAF) or Multilateral Recognition Agreement (MLA);

'third party test laboratory' means an independent accredited organisation that performs tests under certain controlled conditions which are made to demonstrate compliance with EU technical standards;

'manufacturer' means the producer of the solar water heaters, solar collectors and photovoltaic systems submitted for registration under the scheme;

'overriding reasons relating to public interest' means the reasons recognised as such in the case law of the European Court of Justice, and as they may continue to evolve, including the following grounds:

public policy, public safety and public health, the protection of recipients of services, consumer protection, the prevention of fraud, prevention of unfair competition, environmental protection and the protection of intellectual property;

'recipient' means any natural person who is a national of a Member State, who benefits from rights conferred upon him by community acts, or any legal person established in a Member State, who, for professional or non-professional purposes, uses, or wishes to use a service against non-economic considerations;

'system','systems', or 'equipment' means solar water heaters, solar collectors and photovoltaic panels and inverters, approved by the Authority as eligible for this scheme, when meeting the requirements listed in this Government Notice;

'photovoltaic system' means a system that consists of solar panels and inverters that is installed in a premises, through which system solar energy is converted into electric energy;

'scheme' means the scheme for registration of solar water heaters, solar collectors and photovoltaic systems that reduce the use of energy, and that use renewable energy sources;

'solar collector' means the part of the equipment of a solar water heater which collects the thermal energy from the sun;

'*solar water heater*' tfisser sistema li minnha enerġija mix-xemx tiġi utilizzata bħala sors alternattiv ta' enerġija biex issaħħan l-ilma;

'*standards* EN' tfisser *standards* tekniċi Ewropej li jinkoraġġixxu kummerċ ħieles, is-sigurtà tal-ħaddiema u tal-konsumaturi, l-interkonnessjoni tal-operazzjonijiet ta' *networks*, protezzjoni tal-ambjent, żvilupp ta' riċerka u programmi ta' żvilupp, u prokurament pubbliku;

'Stat tal-Assoċjazzjoni Ewropea tal- Kummerċ Ħieles (*EFTA*)' tfisser pajjiż jew stat li jkun parti mill-kuntratt tal-ftehim taż-Żona Ekonomika Ewropea (*EEA*) u liema pajjiż jew stat jibbenifika minn kummerċ ħieles mal-Unjoni Ewropea.

2. Reġistrazzjoni tal-bejjiegħa jew bejjiegħa bl-imnut

i. Bejjiegħa jew bejjiegħa bl-imnut jistgħu jirreġistraw *solar water heaters, solar collectors* u sistemi fotovoltajiċi skond l-iskema kif stabbilit f'din in-Notifikazzjoni tal-Gvern.

ii. Ġaladarba l-bejjiegħa jew bejjiegħa bl-imnut u s-*solar water heaters, solar collectors* u sistemi fotovoltajiċi tagħhom, ikunu reġistrati, ebda sistema jew tagħmir ħlief dawk li jkunu konformi mal-i*standards* meħtieġa minn din in-Notifikazzjoni tal-Gvern, m'għandhom ikunu elenkati fil-websajt tal-Awtorità bħala approvati mill-Awtorità għall-finijiet ta' din l-iskema, iżda dak it-tagħmir xorta jista' jiġi mqiegħed fuq is-suq iżda m'għandux ikun ikkunsidrat bħala eliġibbli għall-finijiet ta' din l-iskema.

iii. Bejjiegħa bl-imnut għandhom *inter alia* jipprovdu evidenza li *solar water heaters, solar collectors* u sistemi fotovoltajiċi jkunu konformi ma' *standards* speċifiċi kif meħtieġ b'din in-Notifikazzjoni tal-Gvern biex ikunu reġistrati u elenkati bħala eliġibbli fuq il-websajt tal-Awtorità. Din il-lista ta' sistemi jew tagħmir eliġibbli tista' tintuża fid-diskrezzjoni tal-Awtorità għall-finijiet ta' skemi oħrajn, inklużi skemi ta' għotja.

iv. L-applikazzjonijiet għar-reġistrazzjoni tal-bejjiegħa jew bejjiegħa bl-imnut u s-*solar water heaters, solar collectors* u sistemi fotovoltajiċi tagħhom għall-finijiet tal-iskema għandhom isiru fil-forma stabbilita fl-iSkeda li tinsab ma' din in-Notifikazzjoni tal-Gvern. Meta tiġi preżentata, din l-applikazzjoni għandu jkun fiha l-informazzjoni, d-dettalji u d-dokumenti kollha kif meħtieġ b'dak il-mod u manjiera, u skond din l-iskema.

v. Bejjiegħa jew bejjiegħa bl-imnut jistgħu ikunu reġistrati b'mod proviżorju mill-Awtorità taħt l-iskema. Spezzjonijiet ta' sistemi li jiġu installata għandhom isiru minn inġinier li jkollu *warrant* imqabbad mill-Awtorità, u l-bejjiegħa jew bejjiegħa bl-imnut li jkunu nstabu li biegħu installazzjonijiet li ma jkunux ġew installati kif xieraq skond *standards* u prattika tajba għandu jkollhom ir-reġistrazzjoni proviżorja tagħhom għal parteċipazzjoni fl-iskema flimkien mat-tagħmir reġistrat minnhom revokati. Dik ir-revoka għandha ssir meta *standards*

'solar water heater' means a system through which solar energy is utilised as an alternative source of energy for the purpose of heating water;

'EN standards' means European technical standards which promote free trade, the safety of workers and consumers, interconnection of networks operations, environmental protection, exploitation of research and development programmes, and public procurement;

'European Free Trade Association (EFTA) State' means a country or state which is a contracting party to the European Economic Area (EEA) agreement and which country or state enjoy free trade with the European Union.

2. Registration of sellers or retailers

i. Sellers or retailers may register solar water heaters, solar collectors and photovoltaic systems in terms of the scheme as set out in this Government Notice.

ii. Once sellers or retailers and their solar water heaters, solar collectors and photovoltaic systems are registered, no systems or equipment other than those which meet the standards required by this Government Notice, shall be listed in the Authority's website as approved by the Authority for the purposes of this scheme, provided that such equipment may still be placed on the market but shall not be considered as eligible for the purposes of this scheme.

iii. Retailers shall *inter alia* provide evidence that solar water heaters, solar collectors and photovoltaic systems conform to specific standards as required by this Government Notice in order to be registered and listed as eligible on the Authority's website. The list of eligible systems or equipment may be used at the discretion of the Authority for the purposes of other schemes, including grant schemes.

iv. Applications for the registration of sellers or retailers and their solar water heaters, solar collectors and photovoltaic systems for the purposes of the scheme shall be made in the form set in the Schedule to this Government Notice. When submitted, this application shall contain all the information, details and documents as required in such form and manner, and in terms of this scheme.

v. Sellers or retailers may be provisionally registered by the Authority under the scheme. Inspections of installed systems may be carried out by a warranted engineer engaged by the Authority, and sellers or retailers who are found to have sold installations that are not properly installed according to good standards and practice shall have their provisional registration for participation in the scheme together with the equipment registered by them withdrawn. Such withdrawal shall be occasioned when specific standards which relate to quality

speċifiċi li jkollhom x'jaqsmu mal-kwalità u s-sigurtà tat-tagħmir ma jkunux intlaħqu, kif ukoll meta s-sistema ma tkunx ġiet installata kif xieraq skond l-*istandards* meħtieġa. Għandha tkun ir-responsabbiltà tal-bejjiegħ jew tal-bejjiegħ bl-imnut li jiżguraw li sistema tkun installata skond *standards* xierqa u ta' prattika tajba. L-Awtorità għandha tistabbilixxi l-kriterji tagħha biex tivverifika jekk sistema tkunx ġiet installata skond *standards* xierqa u ta' prattika tajba, iżda dawk il-kriterji għandhom ikunu oġġettivi, trasparenti, mhux diskriminatorji u jiġu pubblikati minn qabel mill-Awtorità.

vi. Bejjiegħa jew bejjiegħa bl-imnut huma meħtieġa li jipprovdu perjodu minimu ta' garanzija ta' ħames snin lix-xerrejja tas-sistemi jew tagħmir li jkunu reġistrati taħt din in-Notifikazzjoni tal-Gvern. Il-ħtiġiet minimi għal dawk l-obbligi ta' garanzija għandhom ukoll ikunu kif stabbiliti mill-Awtorità.

vii. L-applikazzjonijiet li jiġu preżentati lill-Awtorità għal reġistrazzjoni bħala bejjiegħ jew bejjiegħ bl-imnut taħt din l-iskema għandu jkollhom magħhom id-dokumenti meħtieġa fil-formola tal-applikazzjoni, u kull dokument ieħor li l-Awtorità tista' teħtieġ b'mod raġjonevoli.

3. Reġistrazzjoni ta' tagħmir

i. L-applikazzjonijiet għar-reġistrazzjoni ta' sistemi jew tagħmir għall-finijiet ta' din l-iskema għandhom isiru mill-bejjiegħ jew bejjiegħ bl-imnut fil-formola stabbilita fl- iSkeda li tinsab ma' din in-Notifikazzjoni tal-Gvern. L-applikazzjoni għal reġistrazzjoni ta' sistemi, jew tagħmir għandu jkun fiha l-informazzjoni, d-dettalji u d-dokumenti kollha bil-mod kif meħtieġ u skond din l-iskema.

ii. Is-sistemi jew tagħmir għandhom ikunu ċertifikati bħala konformi mal-*istandards* Ewropew tal-MSA kif imsemmi f'din in-Notifikazzjoni tal-Gvern. Il-kontenut sħiħ tal-*istandards* tal-EN li jkunu japplikaw huma disponibbli biex jintwerew għand l-Awtorità ta' Malta dwar l-*iStandards*.

iii. Kopji ta' ċertifikati awtentiċi ta' ċertifikazzjoni minn korpi ta' ċertifikazzjoni minn terza persuna għandhom ikunu meħtieġa. Dawn iċ-ċertifikazzjonijiet għandhom ikunu soġġetti għal dawn il-kundizzjonijiet li ġejjin:

a) Sistemi fotovoltajiċi għandhom ikunu elenkati bħala eliġibbli mill-Awtorità meta jkunu konformi ma' EN61215 tal-MSA jew EN61646 tal-MSA jew l-ekwivalenti[1] tagħhom meta jkunu ikkunsidrati bħala tali mill-Awtorità ta' Malta dwar l-*iStandards*;

b) *Solar water heaters*[2] għandhom ikunu ċertifikati:

and safety of the equipment are not complied with, and also when a system is not properly installed in accordance with the required standards. It shall be the responsibility of the seller or retailer to ensure that a system is installed according to proper standards and good practice. The Authority shall establish its own criteria for verifying whether a system is installed according to proper standards and good practice, provided that such criteria shall be objective, transparent, non-discriminatory and made public in advance by the Authority.

vi. Sellers or retailers are required to provide a minimum period of guarantee of five years to buyers of the systems or equipment registered under this Government Notice. The minimum requirements for such guarantee obligations shall also be as established by the Authority.

vii. Applications submitted to the Authority for registration as a seller or retailer under this scheme shall be accompanied by the documents required by the application form, and any other document which the Authority may reasonably require.

3. Registration of equipment

i. Applications for the registration of systems or equipment for the purposes of this scheme shall be made by the seller or retailer in the form set out in the Schedule to this Government Notice. The application for registration of systems or equipment shall contain and include all the information, details and documents in the form as required and in terms of this scheme.

ii. The systems or equipment shall be certified as compliant with MSA European standards as specified in this Government Notice. The full content of the applicable EN standards are made available for viewing at the Malta Standards Authority.

iii. Certified true copies of third party certification by certifying bodies shall be required. These certifications shall be subject to the following conditions:

a) PV systems shall be listed as eligible by the Authority when compliant to MSA EN 61215 or MSA EN61646, or an equivalent[1] thereof when so considered by the Malta Standards Authority;

b) Solar water heaters[2] shall be certified:

[1] Products that are eligible for schemes in other European countries, EFTA states and Turkey may be considered as eligible provided that proof of tests for Maltese climatic conditions is provided.

[2] Solar water heaters of the integral collector-storage systems for hot water preparation; thermo siphon systems for hot water preparation; forced circulation systems as batch products with fixed configuration for hot water preparation.

(i) skond EN12976-1 tal-MSA, jew l-ekwivalenti tiegħu meta ikkunsidrat bħala tali mill-Awtorità ta' Malta dwar l-i*Standards*; jew

(ii) skond iċ-Ċertifikazzjoni tas-*Solar Keymark*[1];

ċ) *Solar collectors* għandhom ikunu ċertifikati:

(i) skond EN12975-1 tal-MSA jew l-ekwivalenti[1] tiegħu meta kkunsidrat bħala tali mill-Awtorità ta' Malta dwar l-i*Standards*; jew

(ii) ikunu konformi maċ-Ċertifikazzjoni tas-*Solar Keymark*;

d) Il-prova ta' konformità għandha tkun ġeneralment aċċettata meta l-ittestjar jiġi provdut minn laboratorju indipendenti tal-ittestjar minn terza persuna akkreditat mill-Awtorità ta' Malta dwar l-i*Standards* u meta provi oħra ta' konformità li jkunu jissodisfaw livelli ekwivalenti ta' *standards* ta' sigurtà u kwalità jiġu preżentati mill-Awtorità.

iv. Meta l-ittestjar ikun sar minn korp ta' ċertifikazzjoni indipendenti jew minn laboratorju tal-ittestjar minn terza persuna, li jkun akkreditat għall-ittestjar li jkun japplika mill-Awtorità ta' Malta dwar l-i*Standards* jew organizzazzjoni ekwivalenti[3], rapport preparat u maħruġ minn dak il-laboratorju għandu jiġi provdut lill-Awtorità, liema rapport għandu jkun fih ir-riżultati tal-ittestjar li jkunu sar. Dak ir-rapport tal-ittestjar għandu:

a) jkun bl-Ingliż jew fil-lingwa oriġinali u jkollu miegħu traduzzjoni bl-Ingliż awtorizzata minn korp ta' ċertifikazzjoni;

b) ikun komplut, iffirmat b'mod korrett jew awtorizzat minn laboratorju tal-ittestjar u jkun jinkludi verifika li l-ħtiġiet kollha li jkunu japplikaw ikunu ntlaħqu;

ċ) jidentifika l-għamla, n-numru tal-mudell u l-istat ta' kif inħadem il-prodott li jkun ġie ttestjat, u jagħti dettalji ta' xi tibdil u, jew testjar li jkun sar biex ikun konformi mal-ħtiġiet neċessarji;

d) ikun validu għal perjodu massimu ta' erba' snin. Rapporti jistgħu ikunu validi għal iktar minn 4 snin jekk ikun hemm ċertifikazzjoni tal-validità kontinwa tagħhom għal aktar minn erba' snin minn korp ta' ċertifikazzjoni minn terza persuna.

v. Flimkien ma' kopji ta' ċertifikati bħala veri u dokumenti oħra li jkunu meħtieġa minn din in-Notifikazzjoni tal-Gvern, bejjiegħa jew bejjiegħa bl-imnut għandhom jipprovdu

(i) in terms of MSA EN12976-1, or an equivalent thereof when so considered by the Malta Standards Authority; or

(ii) in accordance with the Solar Keymark Certification[1];

c) Solar Collectors shall be certified:

(i) in terms of MSA EN12975-1, or an equivalent[1] thereof when so considered by the Malta Standards Authority; or

(ii) in conformity with the Solar Keymark Certification;

d) Evidence of compliance shall be generally accepted when testing by an independent third party test laboratory, accredited by the Malta Standards Authority is provided and when other evidence of compliance which fulfills equivalent levels of safety and quality standards is presented to the Authority.

iv. Where testing has been carried out by an independent certifying body or third party test laboratory, which is accredited for the applicable testing by the Malta Standards Authority or an equivalent organisation[3], a report prepared and issued by such laboratory shall be provided to the Authority, which report shall contain the results of the testing carried out. Such testing report shall:

a) be in English or in the original language and accompanied by an English translation authorized by the certifying body;

b) be complete, correctly signed or authorised by the test laboratory including a certification that all applicable requirements are met;

c) identify the make, model number and build status of the product tested, and give details of any modifications and, or testing made to meet the necessary requirements;

d) be valid for a maximum period of 4 years. Reports may be valid for more than 4 years if there is certification of their continuing validity beyond four years by a third party certifying body.

v. Together with certified true copies of certificates and other documents required by this Government Notice, sellers or retailers shall provide a signed declaration to be made by

[3] Accreditation bodies which are members of the European co-operation for Accreditation (EA) or International Accreditation Forum (IAF) Multilateral Recognition Agreement (MLA) are considered as equivalent to MSA

dikjarazzjoni iffirmata li għandha ssir mill-produttur jew bejjiegħ bl-ingrossa jew distributur tas-*solar water heaters, solar collectors* u sistemi fotovoltajiċi, li biha jiddikjaraw li l-prodott li jkun ġie ttestjat ikun kampjun tal-produzzjoni u li jkun jirrappreżenta b'mod sħiħ il-linja tal-produzzjoni kurrenti. Kull bidla li tkun saret lid-disinn, lill-proċess tal-produzzjoni jew materjali tal-prodott li jkun ġie ttestjat għandha tiġi identifikata fid-dikjarazzjoni bil-miktub u ċertikata kif xieraq kif meħtieġ minn din in-Notifikazzjoni tal-Gvern;

the manufacturer or wholesaler or distributor of solar water heaters, solar collectors and photovoltaic systems, stating that the tested product is a production sample and which fully represents the current production-line. Any modifications made to the design, production process or materials of the tested product shall be identified in the written declaration and duly certified as required by this Government Notice;

vi. Meta wieħed jew aktar mill-karatteristiċi tal-prodott ikunu jinsabu wkoll fi prodott b'disinn, kostruzzjoni u funzjoni simili, per eżempju fil-każ ta' 'family products', l-approvazzjoni minn laboratorju tal-ittestjar akkreditat tal-karatteristiċi ta' prodott simili li jkun ġie approvat qabel tista' tiġi aċċettata għal prodott l-ieħor b'disinn, kostruzzjoni u funzjoni simili. Din l-approvazzjoni għandha tkun fil-forma ta' rapport li jinħareġ minn laboratorju tal-ittestjar akkreditat. Il-forma u l-kontenut ta' dak ir-rapport għandhom ikunu soġġetti għal ċertifikazzjoni minn korp ta' ċertifikazzjoni minn terza persuna.

vi. Where one or more of the characteristics of a product are also found in a product with similar design, construction and function, for example in the case of family products, the approval by an accredited testing laboratory of the characteristics of a previously approved similar product may be accepted for the other product with similar design, construction and function. This approval should be in the form of a report issued by an accredited testing laboratory. The form and contents of such a report shall be subject to certification by a third party certifying body.

vii. Il-prova ta' konformità mal-*istandards* meħtieġa li jkunu konformi minn din in-Notifikazzjoni tal-Gvern għandha ssir permezz tal-preżentazzjoni ta' kopji ta' ċertifikati awtentiċi tas-sistemi fotovoltajiċi, *solar water heaters* u *solar collectors* li jkunu nħarġu minn korpi ta' ċertifikazzjoni minn terza persuna.

vii. Proof of compliance with the standards required to be complied with by this Government Notice shall be made through the submission of true certified copies of certificates for photovoltaic systems, solar water heaters and solar collectors issued by third party certifying bodies.

viii. Reġistrazzjonijiet ta' bejjiegħa jew bejjiegħa bl-imnut ta' prodotti jew tagħmir li jkunu saru minn bejjiegħa jew bejjiegħa bl-imnut jistgħu jiġu revokati f'kull waqt mill-Awtorità, wara li tkun avżat b'mod xieraq, u tat raġunijiet ġustifikati għad-deċiżjoni tagħha lil bejjiegħa jew bejjiegħa bl-imnut, b'mod partikolari meta bejjiegħa jew bejjiegħa bl-imnut ikunu wettqu azzjonijiet li jmorru kontra l-għan ta' din l-iskema.

viii. Registration of sellers or retailers and of products or equipment made by sellers or retailers may be withdrawn at any time by the Authority, after giving due notice, and justified reasons for its decision to sellers or retailers, in particular when retailers or sellers carry out actions which contravene the aim of this scheme .

ix. Meta l-Awtorità jkollha provi suffiċjenti li prodott speċifiku li jkun ġie prodott b'mod legali u, jew mqiegħed fis-suq fi Stat Membru ieħor tal-Unjoni Ewropea jew fit-Turkija, jew prodott skond il-liġi fi Stat tal-*EFTA*, li jkun parti kontraenti tal-ftehim tal-*EEA* ma jkunx jipprovdi għal livell ta' protezzjoni ekwivalenti bħal dak li jkun meħtieġ minn *standards* meħtieġa li jkunu konformi magħhom minn din in-Notifikazzjoni tal-Gvern, ir-reġistrazzjoni tal-prodott, is-sistema jew tagħmir tista' tiġi ristritta mill-Awtorità. Qabel ma tiddeċiedi fuq dik ir-restrizzjoni, l-Awtorità:

ix. Where the Authority has sufficient proof that a specific product lawfully manufactured and, or marketed in another Member State of the European Union or in Turkey, or lawfully manufactured in an EFTA State, which is a contracting party to the EEA agreement does not provide for a level of protection equivalent to that required by the standards required to be complied with by this Government Notice, registration of the product, system or equipment may be restricted by the Authority. Before deciding on such a restriction, the Authority:

a) għandha tinforma lil produttur jew lid-distributur bil-miktub bil-miżuri li hi tkun bi ħsiebha tieħu abbażi ta':

a) shall inform the manufacturer or the distributor in writing of the measures it intends to take on the basis of:

(i) ir-regoli tekniċi meħtieġa li jintlaħqu skond din in-Notifikazzjoni tal-Gvern u li jistgħu jwasslu għar-rifjut mill-

(i) the technical rules required to be met in terms of this Government Notice and which may lead to the refusal by the

Awtorità tar-reġistrazzjoni tal-prodott ikkonċernat, meta r-regoli tekniċi ikunu japplikaw għall-prodott ikkonċernat;

(ii) provi tal-elementi kollha xjentifiċi rilevanti u riżorsi tekniċi disponibbli għall-Awtorità;

(iii) l-eżistenza ta' raġunijiet li jipprevalu relatati ma' l-interess pubbliku biex l-Awtorità timponi dawk il-miżuri u tirrifjuta dik ir-reġistrazzjoni; u

(iv) in-nuqqas ta' miżuri inqas restrittivi li jistgħu jintużaw jew applikati biex jiġi evitat dak ir-rifjut;

b) għandha tagħti l-opportunità lill-bejjiegħ jew bejjiegħ bl-imnut biex iġib għall-attenzjoni tagħha kull kwistjoni fi żmien erba' ġimgħat tal-inqas jew 20 ġurnata tax-xogħol, mill-ġurnata li dak il-bejjiegħ jew bejjiegħ bl-imnut jiġi notifikat bl-intenzjoni tal-Awtorità li timponi dawk il-miżuri kontra tiegħu;

ċ) għandha tagħti importanza b'mod xieraq tas-sottomissjonijiet tal-bejjiegħ jew bejjiegħ bl-imnut, u, jew tal-produttur meta tieħu d-deċiżjoni tagħha.

d) L-Awtorità għandha tagħti raġunijiet ġustifikati għad-deċiżjonijiet tagħha li jkunu jirrestrinġu r-reġistrazzjoni tal-prodott ikkonċernat. L-Awtorità għandha tinforma lill-bejjiegħ jew bejjiegħ bl-imnut ikkonċernat bil-mezzi ta' appell disponibbli għalih.

4. Validità ta' applikazzjoni

L-Applikazzjonijiet għar-reġistrazzjoni ta' tagħmir u sistemi taħt din in-Notifikazzjoni tal-Gvern jistgħu jiġu riċevuti b'mod validu mill-pubblikazzjoni tagħha fil-Gazzetta tal-Gvern.

5. Emendi u tul tan-Notifikazzjoni tal-Gvern

Din in-Notifikazzjoni tal-Gvern tista' tiġi mibdula permezz ta' emendi pubblikati fil-Gazzetta tal-Gvern u għandha tibqa' fis-seħħ kemm-il darba din l-iskema ma tintemmx permezz ta' avviż fil-Gazzetta.

6. Procedura ta' Notifika

Il-kontenut ta' din in-Notifikazzjoni tal-Gvern ġew innotifikati skond id-Direttiva 98/34/KE, kif trasposta b'mod xieraq permezz tar-Regolamenti tal-2003 dwar il-Proċedura ta' Notifikazzjoni.

Il-15 ta' Jannar, 2010

Authority of the registration of the product in question, when the technical rules apply to the product concerned;

(ii) proof of all relevant scientific elements and technical resources available to the Authority;

(iii) the existence of overriding reasons relating to public interest for the Authority to impose such measures and to refuse such registration; and

(iv) the absence of less restrictive measures which may be used or applied to prevent such a refusal;

b) shall give the opportunity to the seller or retailer to bring to its attention any matter within a period of at least four weeks or 20 working days, from the day when such seller or retailer is notified of the Authority's intention to impose such measures against him;

c) shall take due account of the seller's or retailer's and, or manufacturer's submissions when reaching its decision.

d) The Authority shall give justified reasons for its decisions restricting the registration of the product in question. The Authority shall notify the seller or retailer concerned of the means of appeal available to him.

4. Validity of application

Applications for the registration of equipment and systems under this Government Notice may be validly received as from the date of its publication in the Government Gazette.

5. Amendments and duration of Government Notice

This Government Notice may be modified by means of amendments published in the Government Gazette and shall continue to be in force unless this scheme is terminated by means of a notice in the Gazette.

6. Notification Procedure

The contents of this Government Notice have been notified in terms of Directive 98/34/EC, as duly transposed by means of the Notification Procedure Regulations, 2003.

15th January, 2010

Schedule

Application form for the registration of sellers or retailers and solar water heaters, solar collectors and photovoltaic systems

Part I - Application for registration as a participating retailer (seller)

This application form must be completed by the retailer and sent to MRA

Retailer details

Company or concern's Name ______________________

Address ______________________

Vat Registration number ______________________

Email address: ______________________

Telephone ______________________ Mobile ______________________

Exemption number ______________________
(where a computerized or electronic system or a point of sale system is used)

Engineer's details for PV systems

Name ______________________ Surname ______________________

Address ______________________

Warrant Number ______________________

Installer's details (1)

Name ______________________ Surname ______________________
Address ______________________
Electrical License A & B ______________________

Installer's details (2)

Name ______________________ Surname ______________________
Address ______________________
Electrical License A & B ______________________

Available Technology

Solar Water heater system (collector + tank) ☐
Solar Collector ☐
Photovoltaic system ☐

I agree to abide to all terms and conditions of the scheme. The information provided in this form is accurate and true to the best of my knowledge. I understand that any attempt to misrepresent information in this application will invalidate this application and disqualify me from participating in all future rebate schemes.

I agree to participate, as necessary, in audits on installed systems and to provide, when requested data to prove that the system sold by me is performing as guaranteed during the term of the guarantee period.

I certify by means of the attached document that I am authorised to sign on behalf of my company.

Signature of applicant:

Name and Surname:

Position in Company:

Company stamp:

Notes:

1. Personal information provided by the seller will be protected and used in accordance with the Data Protection Act. Without prejudice to any Act, the volume of sales shall be considered to be commercially sensitive data and will only be published in such a manner that individual sellers cannot be identified. All information may be shared by/with the Malta Resources Authority, the Ministry for Finance and the VAT department. All information other than personal or commercially sensitive information may be published.
2. Sellers may be suspended or withdrawn from the scheme after notification in writing from the Malta Resources Authority.
3. Audits may be carried out by the Malta Resources Authority or its agents. Participation in the scheme implies that the seller is agreeing to such auditing.

Send this form, together with all supporting documentation to Malta Resources Authority, Millennia, Aldo Moro Road, Marsa. Applications by email to mra@mra.org.mt will be accepted provided that receipt of email is acknowledged by the Authority, that all the information required is submitted in a clearly and easily identifiable and retrievable format, and that all the technical documentation is submitted separately

Part II Application for registration of technology

One application form must be filled in per model registered

Solar water heater system:

Water Storage Capacity (m^3) ________________________________

Collector size(m^2)____________________ Evacuated tube or flat plate____________________

Equipment Model________________________________

Equipment Manufacturer________________________________

Showroom price:_€ ________________________________

Documents accompanying application form:
Please specify number of documents attached:

True certified copy of third party certificate (See notes below) ☐

Copy of scheme standard guarantee form to be issued by retailer with each product sold ☐

Retailer's Declaration

I agree to abide to all terms and conditions of the scheme. The information provided in this form is accurate and true to the best of my knowledge. I understand that any attempt to misrepresent information in this application will invalidate this application and disqualify me from participating in all future rebates.

____________________ ____________________

Retailer's Signature Date

____

Retailer's Company Rubber Stamp

Notes:

- Data Protection: Personal information provided on this form is protected and used in accordance with the Data Protection Act. The information shown on this application form will be used and shared by/with the Malta Resources Authority and its agents, the Ministry for Finance, the VAT department and other Government entities and EU bodies involved in administering and supervising the scheme. The MRA may also use this information to demonstrate market transformation trends.
- In cases were the supplier does not conform to any provisions set out in the scheme, the supplier/installer shall be obliged to either change the equipment to bring the installations within the provisions of the scheme or pay the grant to the end consumer. This does not exclude the possibility that the end consumer may take legal action against the retailer to provide him with equipment as originally requested.
- You are advised to send your application by mail to: Malta Resources Authority
Millennia, Aldo Moro Road,
Marsa, MRS9065
- Further information can be found on the MRA website: www.mra.org.mt. This application form may also be revised periodically. Please check the website to ensure that you have the latest version.
- MRA may ask for further documentation if third party's report requires further verification.

2010/1

Solar Collectors:

Collector size(m^2)__________________ Evacuated tube or flat plate__________________

Equipment Model____

Equipment Manufacturer____________________________________

Showroom price: € ____

Documents accompanying application form:
Please specify number of documents attached:

True certified copy of third party certificate(See notes below) ☐

Copy of scheme standard guarantee form to be issued by retailer with each product sold ☐

Retailer's Declaration

I agree to abide to all terms and conditions of the scheme. The information provided in this form is accurate and true to the best of my knowledge. I understand that any attempt to misrepresent information in this application will invalidate this application and disqualify me from participating in all future rebates. I confirm that evacuated tube collectors certified to EN 12975 will be connected to a manifold and that the evacuated tubes will not be connected directly into the storage tank.

____________________ ____________________

Retailer's Signature Date

____

Retailer's Company Rubber Stamp

Notes:

- Data Protection: Personal information provided on this form is protected and used in accordance with the Data Protection Act. The information shown on this application form will be used and shared by/with the Malta Resources Authority and its agents, the Ministry for Finance, the VAT department and other Government entities and EU bodies involved in administering and supervising the scheme. The MRA may also use this information to demonstrate market transformation trends.
- In cases were the supplier does not conform to any provisions set out in the scheme, the supplier/installer shall be obliged to either change the equipment to bring the installations within the provisions of the scheme or pay the grant to the end consumer. This does not exclude the possibility that the end consumer may take legal action against the retailer to provide him with equipment as originally requested.
- You are advised to send your application by mail to: Malta Resources Authority
  Millennia, Aldo Moro Road,
  Marsa, MRS9065
- Further information can be found on the MRA website: www.mra.org.mt. This application form may also be revised periodically. Please check the website to ensure that you have the latest version.
- MRA may ask for further documentation if third party's report requires further verification.

2010

Application for registration of technology

For PV systems:

No. of Modules ______________________

Module Model______________________

Module Manufacturer______________________

Electrical output power in kilowatt peak ______________________

Electrical output power 5year guarantee in kilowatt hours(kWh)______________________

Showroom Price/kWp: €______________________

Documents accompanying application form:
Please specify number of documents attached:

True certified copy of third party certificate (See notes below) ☐

Copy of scheme standard guarantee form to be issued by retailer with each product sold ☐

Inverter details:

Inverter manufacturer ______________________

Inverter model ______________________

Inverter rating______________________

Inverter manufacturer ______________________

Inverter model ______________________

Inverter rating______________________

Retailer's Declaration

I agree to abide to all terms and conditions of the scheme. The information provided in this form is accurate and true to the best of my knowledge. I understand that any attempt to misrepresent information in this application will invalidate this application and disqualify me from participating in all future rebates.

______________________ ______________________

Retailer's Signature Date

____

Retailer's Company Rubber Stamp

2010/1

Notes:

- Data Protection: Personal information provided on this form is protected and used in accordance with the Data Protection Act. The information shown on this application form will be used and shared by/with the Malta Resources Authority and its agents, the Ministry for Finance, the VAT department and other Government entities and EU bodies involved in administering and supervising the scheme. The MRA may also use this information to demonstrate market transformation trends.
- In cases were the supplier does not conform to any provisions set out in the scheme, the supplier/installer shall be obliged to either change the equipment to bring the installations within the provisions of the scheme or pay the grant to the end consumer. This does not exclude the possibility that the end consumer may take legal action against the retailer to provide him with equipment as originally requested.
- The Malta Resources Authority does not guarantee the performance or energy savings of any technology or system. You are strongly advised to inform clients to carry out energy efficiency measures (such as installing double glazing, envelope insulation and installing energy efficient devices) prior to installing RES systems.
- You are advised to send your application by mail to: Malta Resources Authority
Millennia, Aldo Moro Road,
Marsa, MRS9065
- Further information can be found on the MRA website: www.mra.org.mt. This application form may also be revised periodically. Please check the website to ensure that you have the latest version.
- MRA may ask for further documentation if third party's report requires further verification.

2011