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Monitoring of Energy Legislation

SEPTEMBER 2024

The most important legislative changes
and interesting news

MONITORING / September 2024

See the most important news in the field of Slovak energy legislation for the month of September 2024.

RONI has initiated legislative processes on the draft of the new **Price decree in thermal energy** and on the amendments to the **decrees on quality standards**.

The **new SEPS operating rules**, the updated **list of electricity producers who are in arrears** or the announcement of the **second call aimed at supporting the development of innovative solutions in the field of decarbonization** should not escape your attention.

We wish you a pleasant reading!



Pavol Poláček, Managing Partner

1. WHAT HAS CHANGED?

ELECTRIC ENERGY AND GAS INDUSTRY	
Act no. 309/2009 Coll. on the support of RES	no
Act no. 250/2012 Coll. on Regulation	no
Act no. 251/2012 Coll. on Energy	no
Act no. 321/2014 Coll. on energy efficiency	no
Act no. 609/2007 Coll. on excise duty on electricity, coal and natural gas	no
Act no. 555/2005 Coll. on energy efficiency of buildings	no
RONI Decree no. 490/2009 Coll., laying down details on the support of RES	no
RONI Decree no. 92/2023 Coll., laying down the conditions of the tender procedure for the provision of electricity storage facility services	no
RONI Decree no. 107/2023 Coll., establishing price regulation of electricity supply	no
RONI Decree no. 207/2023 Coll., establishing the rules for the functioning of the internal electricity market	no
RONI Decree no. 208/2023 Coll., establishing the rules for the functioning of the internal natural gas market	no
RONI Decree no. 230/2023 Coll., establishing the content requirements of the distribution system development plan	no
RONI Decree no. 285/2012 Coll., establishing price regulation for the supply of natural gas to small businesses	no
RONI Decree no. 450/2022 Coll., establishing price regulation in natural gas industry	no
RONI Decree no. 370/2023 Coll., establishing price regulation in the field of supporting electricity production and some related conditions for the performance of regulated activities	no
RONI Decree no. 147/2024 Coll., establishing price regulation of regulated activities in the gas industry	no
RONI Decree no. 246/2023 Coll., establishing price regulation of selected regulated activities in the electric energy industry and some conditions for the performance of selected regulated activities in the electric energy industry	no
RONI Decree no. 154/2024 Coll., establishing price regulation in electric energy industry and some conditions for the performance of selected regulated activities in the electric energy industry	no
RONI Decree no. 278/2012 Coll., establishing quality standards for gas storage, gas transportation, gas distribution and gas supply	no
RONI Decree no. 236/2016 Coll., establishing quality standards for electricity transmission, electricity distribution and electricity supply	no
RONI Decree no. 284/2012 Coll. on the rules for the sale of electricity in the form of auctions	no
RONI Decree no. 212/2005 Coll., establishing the application form for the issuance of a permit	no
Decree of the Ministry of Economy of the Slovak Republic no. 599/2009 Coll., implementing certain provisions of the Act on the support of RES	no
Decree of the Ministry of Economy of the Slovak Republic no. 270/2012 Coll. on professional competence for carrying out business activities in the energy sector	no

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Decree of the Ministry of Economy of the Slovak Republic no. 416/2012 Coll., establishing the details of the procedure for applying restrictive measures in a state of emergency and measures aimed at eliminating the state of emergency in the electric energy industry	no
Decree of the Ministry of Economy of the Slovak Republic no. 106/2019 Coll., establishing the list of authorized industries, the scope and structure of the administration and the method of providing compensation to entrepreneurs	no
Decree of the Ministry of Economy of the Slovak Republic no. 202/2019 Coll., establishing the conditions for participation in the auction for the selection of the electricity purchaser and determining the amount of the electricity purchaser's remuneration	no

THERMAL ENERGY

Act no. 657/2004 Coll., on thermal energy	no
RONI Decree no. 312/2022 Coll., establishing price regulation in thermal energy	no
RONI Decree no. 277/2012 Coll., establishing heat supply quality standards	no
RONI Decree no. 328/2005 Coll., determining the method of verifying the economic efficiency of the operation of the heating facilities system, the energy efficiency indicators of heat production and heat distribution facilities, the normative indicators of heat consumption, the range of economically justified costs for the verification of the economic efficiency of the operation of the heating facilities system and the method of payment of these costs	no
RONI Decree no. 146/2024 Coll., establishing the range of economically justified costs caused by disconnection of the consumer from the system of the supplier's heating facilities and the method of their calculation	no
Decree of the Ministry of Economy of the Slovak Republic no. 151/2005 Coll., establishing the procedure for preventing the occurrence and removing the consequences of a state of emergency in the thermal energy industry	no
Decree of the Ministry of Economy of the Slovak Republic no. 152/2005 Coll. on the specified time and on the specified quality of heat supply for the end consumer	no
Decree of the Ministry of Economy of the Slovak Republic no. 15/2016 Coll., establishing the method of calculating the annual heat production in the production of electricity	no
Decree of the Ministry of Economy of the Slovak Republic no. 503/2022 Coll., establishing the temperature of hot water at the take-off point and the rules for budgeting costs for the amount of heat supplied in hot water, costs for the amount of heat supplied for heating, costs for the amount of heat supplied or the amount of heat produced in a decentralized heat source and economically justified costs for heat produced in a decentralized heat source	no
Decree of the Ministry of Economy of the Slovak Republic no. 308/2016 Coll., establishing the procedure for calculating the primary energy factor of the centralized heat supply system	no
Decree of the Ministry of Economy of the Slovak Republic no. 14/2016 Coll., establishing technical requirements for thermal insulation of heat and hot water distribution lines	no

Note: In our monitoring of energy legislation, we monitor for you the changes to the above-mentioned legal regulations, which were published in the Collection of Laws of the Slovak Republic last month.

2. YOU MIGHT BE INTERESTED

■ **RONI decree amending and supplementing the Price decree in thermal energy**

On 4 September 2024, a comment procedure was initiated on the preliminary information on the draft decree of the Regulatory Office for Network Industries (hereinafter referred to as "RONI"), which **amends and supplements** the RONI decree no. **312/2022 Coll.**, establishing price regulation in thermal energy (hereinafter referred to as the "**Price decree in thermal energy**") under legislative process number: **PI/2024/199**.

The purpose of the draft is to amend and supplement some provisions of the Price decree in thermal energy, in particular the scope, structure and amount of economically justified costs.

The preparatory stage of the legislative process was completed on **4 September 2024**.

The start date of the interdepartmental comment procedure is expected to be in **October 2024**.

The current status of the legislative process, which is currently in the preliminary information comment stage, can be followed [at this link](#).

■ **RONI Decree establishing quality standards for electricity transmission, electricity distribution and electricity supply**

On 12 September 2024, RONI submitted into the interdepartmental comment procedure a draft decree **amending and supplementing** the RONI decree no. **236/2016 Coll.**, establishing quality standards for electricity transmission, electricity distribution and electricity supply, under legislative process number: **LP/2024/477**.

The proposed amendment should bring:

- clarification of the definitions of individual quality standards,
- addition of new quality standards, in order to increase the protection of electricity consumers, it is proposed to tighten the existing quality standards and the required levels of compliance with them,
- modification of the method of calculation and the amount of compensation payments, as well as the method and conditions of their payment,
- modification of tracking, recording, evaluation of quality standards,
- modification of recording compensation payments,
- publication of evaluation of quality standards and compensation payments.

The draft decree should also take into account changes in the primary legislation as well as the experience that resulted from the application of quality standards in practice.

The draft decree is to enter into force on **1 January 2025**.

The status of the current legislative process, which is currently in the evaluation stage of the interdepartmental comment procedure, can be followed [at this link](#).

■ **RONI decree establishing quality standards for gas storage, gas transportation, gas distribution and gas supply**

On 12 September 2024, RONI submitted a draft RONI decree **amending and supplementing** the RONI decree no. **278/2012 Coll.**, establishing quality standards for gas storage, gas transportation, gas distribution and gas supply as amended by Decree no. 233/2016 Coll., under legislative process number: **LP/2024/480**.

The proposed amendment should bring:

- clarification of the definitions of individual quality standards,
- addition of new quality standards, in order to increase the protection of gas consumers, it is proposed to tighten the existing quality standards and the required levels of compliance with them,
- modification of the method of calculation and the amount of compensation payments, as well as the method and conditions of their payment,
- modification of tracking, recording, evaluation of quality standards and recording of compensation payments,
- publication of evaluation of quality standards and compensation payments.

The draft decree should also take into account changes in the primary legislation as well as the experience that resulted from the application of quality standards in practice.

The draft decree is to enter into force on **1 January 2025**.

The status of the current legislative process, which is currently in the evaluation stage of the interdepartmental comment procedure, can be followed [at this link](#).

■ **RONI Decree establishing quality standards for heat supply**

On 12 September 2024, RONI submitted a draft RONI decree **amending and supplementing** the RONI decree no. **277/2012 Coll.**, establishing heat supply quality standards as amended by Decree no. 234/2016 Coll., under legislative process number: **LP/2024/481**.

The proposed amendment should bring:

- clarification of the definitions of individual quality standards, in order to increase the protection of heat consumers and increase the quality of services provided by regulated entities, it is proposed to tighten the existing quality standards,
- modification of the method of calculation and amount of compensation payments as well as the method and conditions of their payment.

The draft decree should also take into account changes in the primary legislation as well as the experience that resulted from the application of quality standards in practice.

The draft decree is to enter into force on **1 January 2025**.

The status of the current legislative process, which is currently in the evaluation stage of the interdepartmental comment procedure, can be followed [at this link](#).

- **Decree amending the RONI decree establishing the temperature of hot water at the off-take point and the rules for calculating costs for the amount of heat produced and supplied**

On 30 September 2024, the interdepartmental comment procedure on the draft decree, **amending and supplementing** decree no. **503/2022 Coll.**, which establishes the temperature of hot water at the off-take point and the rules for calculating costs for the amount of heat supplied in hot water, costs for the amount of heat supplied for heating, costs for the amount of heat supplied or the amount of heat produced in a decentralized heat source and economically justified costs for heat produced in a decentralized heat source, under the legislative process number: **LP/2024/217**.

The aim of the draft is to strengthen the ability of owners of apartments and non-residential premises to make decisions when taking into account the range of economically justified costs for decentralized heat sources in connection with the performance of the administration.

The draft proposes to clarify the provisions on the redistribution of heating costs for apartments and non-residential spaces with individual heat preparation in apartment buildings with a favourable, but also with a disadvantageous location. At the same time, the draft of the decree responds to the modifications of Sec. 17e (4) of Act no. 355/2007 Coll. on the Protection, promotion and development of public health and on the amendment of some laws increasing the minimum temperature of hot water at the off-take point.

In addition, the draft should also address some other problems identified within application practice.

The date effectiveness of the decree is proposed to be **15 December 2024**.

The current status of the legislative process, which is at the stage of interdepartmental comment procedure, can be followed [at this link](#).

- **Act amending and supplementing the Act on excise duty on electricity, coal and natural gas**

On 25 September 2024, the interdepartmental comment procedure was initiated on the draft act amending and supplementing Act No. 609/2007 Coll. on excise duty on electricity, coal and natural gas (hereinafter referred to as the "Act on Excise duty on electricity, coal and natural gas"), under legislative process number: **LP/2024/496**.

The primary aim of the draft act is to support the production of electricity from RES, motivate potential producers, reduce the burden on the environment and strengthen the energy security of the Slovak Republic.

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The purpose of the draft act is to provide relief to citizens and legal entities that have **small sources of electricity** by exempting them from **(i)** the obligation to pay tax and **(ii)** proving the guarantee of the origin of electricity from renewable energy sources (RES).

According to the draft act, the threshold for a small energy source increases **from the current 10 kW to 50 kW**.

According to the current wording of the Act on Excise duty on electricity, coal and natural gas, the tax exemption applies only if the energy is produced from RES and if its production is proven by a guarantee of the origin of the electricity from RES. The draft act proposes to **exempt small sources from the obligation to prove the guarantee of the origin of electricity**, which should simplify and speed up the process of their use.

The electricity tax exemption for small sources is intended to reduce the financial burden on households and legal entities that have invested in alternative energy sources such as solar panels, small wind turbines and the like. Inter alia, this relief is intended to contribute to people's energy self-sufficiency.

The draft act is to enter into force on **1 January 2025**.

The status of the current legislative process, which is currently at the stage of the interdepartmental comment procedure, can be followed [at this link](#).

■ **RONI has published a list of electricity producers who are in arrears with payment**

RONI has published an updated **list of electricity producers** on its website according to Sec. 3b (5) and (6) of Act no. 309/2009 Coll. on the Support of renewable energy sources and highly efficient cogeneration and on the amendment of certain acts (hereinafter referred to as the "**RES and CHP Support Act**"), who are in arrears with the payment of registered arrears to the tax office, the customs office, with the payment of registered arrears on insurance premiums for social insurance and registered overdue receivables from the health insurance company.

The RONI list takes into account the record of arrears of electricity producers from RES as of **30 September 2024** and is available [HERE](#).

Producers of electricity from RES for the period in which they are registered as debtors in this list **are not entitled to support in the form of a feed-in tariff**. However, this is only a **temporary suspension of the payment of the feed-in tariff**, which results from the provision of Sec. 3b (5) of the RES and CHP Support Act, according to which "*an electricity producer with the right to support cannot exercise the right to support for electricity production facility in the form of a feed-in tariff or surcharge during the period of delay with the payment of registered arrears towards the tax office, the customs office, with the payment of registered arrears on social insurance premiums and registered overdue receivables from the health insurance company according to special regulations*".

However, this sanction does not have the character of a complete loss of the right to support in the form of a feed-in tariff. It applies that if the electricity producer incurs arrears towards the above-mentioned authorities, the right to support in the form of a feed-in tariff does not

disappear permanently as a whole, but only for the period of delay in fulfilling their tax and contribution obligations. As soon as the producer pays their obligations, the support in the form of a feed-in tariff will start to be provided to them again.

More detailed information is published on the RONI website [at this link](#).

■ **A second call was announced to support the development of innovative solutions in the field of decarbonisation**

On 20 September 2024, the Ministry of the Economy of the Slovak Republic (hereinafter referred to as "**Ministry of the Economy**") announced on its website that the Office of the Government of the Slovak Republic, within the component 9 of the Recovery and Resilience Plan of the Slovak Republic, published a **call aimed at supporting the development of innovative solutions in the field of decarbonization no. 2** (code: **09I04-03-V04**).

The Ministry of the Economy is the intermediary within the call and will ensure its implementation. The call aims to support green transformation, decarbonization, as well as resilience and adaptation to climate change in topics that are aligned with the priority topics expected in the Horizon Europe program.

Eligible applicants are:

- natural or legal persons authorized to carry out business activities,
- persons registered in the Commercial Register,
- persons who carry out business activities on the basis of a trade license,
- persons who carry out business activities on the basis of a license other than a trade license according to special regulations.

The call was opened on 19 September 2024, and its closing date is set on **31 December 2024**.

The call allocation is 14, 889,000 EUR.

The full text of the call is available [HERE](#).

You can find out more information [HERE](#).

■ **New loan specification for municipalities and counties**

On 16 September 2024, the Environmental Fund (hereinafter referred to as "**Envirofond**") published information on its website that it issued a new loan **specification of support activities in the form of a loan for municipalities and counties**.

At the same time, due to the publication of the new specification, the Envirofond issued guidelines for the conclusion of the specification *Conditions for the specification of support in the form of a loan for municipalities and counties* as of 16 September 2024.

You can find out more information [HERE](#).

■ **Answers to frequently asked questions about the MoF - 2/2024 Call**

On 11 September 2024, the Envirofond published a list of answers to frequently asked questions regarding the **MoF- 2/2024 Call** for the submission of applications for the provision of funds in the form of subsidies for projects from the Modernization Fund to support investments in the **modernization of energy systems, including energy storage and energy efficiency improvement**.

The prepared Envirofond document with answers to frequently asked questions of applicants is available [HERE](#).

The text of the MoF – 2/2024 call itself is available [HERE](#).

■ **OKTE informs about the project "Billing data in OKTE"**

On 24 September 2024, the organizer of the short-term electricity market, the company OKTE, a.s. (hereinafter referred to as "**OKTE**") has published introductory information and contact information for the project that OKTE is launching under the working title "Billing data in OKTE".

The project is supposed to fulfil the requirements resulting from the RONI decree no. 207/2023 Coll., which establishes the rules for the functioning of the internal electricity market, the content requirements of the operating rules of the system operator, the organizer of the short-term electricity market and the scope of commercial conditions that are part of the operating rules of the system operator.

OKTE informs that the so-called phase 1 (specification) is currently ongoing, the aim of which is the development of a conceptual proposal for the solution of Billing data in OKTE and its gradual negotiation with market participants.

More information about the project is available [HERE](#).

■ **The Ministry of the Economy informs about the cancellation of a special levy for energy companies**

On 30 September 2024, the Ministry of the Economy announced on its website the planned special levy for energy companies. The Ministry of the Economy states that it proposed to remove this levy from the consolidation measures. However, according to the Ministry of the Economy, this decision will have to be compensated by another measure based on the request of the Ministry of Finance of the Slovak Republic (hereinafter referred to as "**Ministry of Finance**"), which is an **additional adjustment of the corporate income tax rate and changes in the payment of dividends from the energy sector**.

According to the Ministry of the Economy, such an introduction of a sectoral tax could cause complications, especially in relation to the competitiveness of Slovak energy companies and their investment activities. The agreement between the Ministry of the Economy and the Ministry of Finance is intended to ensure that the memorandum with Slovenské elektrárne will not need to be opened additionally, and Slovenské elektrárne will thus continue to be able to guarantee electricity prices for households.

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The Ministry of the Economy hopes that the new solidarity mechanism will contribute to the stabilization of public finances and strengthen the country's economic cohesion, while creating space for further development and investment in the Slovak economy.

More information is available [HERE](#).

■ **OKTE has published the evaluation of the public consultation on changes to its operating rules**

On 1 October 2024, OKTE announced on its website that from 10 September 2024 to 24 September 2024, a public consultation on the prepared operating rules of OKTE took place.

According to OKTE, 4 market participants participated in the public consultation and 5 comments were raised, of which 3 were partially or fully accepted.

The text of comments with OKTE's statement is available [HERE](#).

The amended wording of OKTE's operating rules based on accepted comments is available [HERE](#).

More information is available [HERE](#).

■ **OKTE has published the evaluation of the public consultation on changes to the technical specification of ISOT and ISZO external interfaces**

On 19 September 2024, OKTE announced on its website that a public consultation on the technical specification of ISOT and ISZO external interfaces took place between 4 September 2024 and 18 September 2024.

1 market participant joined the public consultation and raised 2 comments. You can find the comments along with OKTE's statement [HERE](#).

At the same time, OKTE announced that the technical specifications of the external interfaces of the ISOT and ISZO system were published [HERE](#) and [HERE](#).

The effectiveness of these versions of the technical specifications is assumed from **18 November 2024**.

More information can be found [HERE](#).

■ **RONI introduces a two-component water price**

On 1 October 2024, RONI reported on its website about the introduction of a two-component price for water and sewage, which will consist of a fixed price component and a variable price component in order to set the payment for water management services in a targeted manner and on the basis of actual economically justified costs for the use of water management services.

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RONI justifies the mentioned change by the fact that the costs of operating water and sewerage systems have so far been included in the total price of water and sewerage, while customers with minimal consumption basically did not contribute to the maintenance of the pipes, even though they had constant access to them, but the consumers with normal consumption paid for them.

According to RONI, the introduction of a two-component price should result in a fairer distribution of costs among all consumers, while the average price of water and sewerage will not change significantly.

You can read more about the report [HERE](#).

■ **RONI informs about the costs of repair of RES for the purposes of extended support**

On 24 September 2024, RONI published a report on the costs of repair of RES for the purposes of extended support on its website.

RONI states that **costs of repair** are costs incurred to remove partial physical wear and tear or damage for the purpose of bringing it back to its previous condition or serviceable condition. Putting it into serviceable condition is understood as carrying out repairs using other than original materials, spare parts, components or technologies, if there is no change in technical parameters or an increase in the performance of the property, or a change in the purpose of use.

The RONI document on the costs of repair of RES for the purposes of extended support is available [HERE](#).

You can read more about the report [HERE](#).

■ **A methodology for determining the value of equipment used for the performance of regulated activities was published**

On 20 September 2024, RONI published on its website a **methodology for determining the value of equipment used for the performance of regulated activities in network industries** (hereinafter referred to as "**Methodology**").

The methodology establishes precise procedures by which the general value of the property is determined, which is the basis for **determining the price in price proceedings** conducted by RONI, especially in the electricity, gas, heat and water industries.

The Methodology for determining the value of equipment used for the performance of regulated activities is available [HERE](#).

You can read more about the RONI report [HERE](#).

■ **ZSD informs about the opening of the new Mierovo electrical station**

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On 10 September 2024, Západoslovenská distribučná, a.s. (hereinafter referred to as "**ZSD**") published on its website information about the ceremonial opening of the new Mierovo electrical station near Bratislava.

ZSD reports that the construction of the new Mierovo electrical station and related power lines involved an investment of more than 20 million EUR, with an EU co-financing rate of 35%, from the Connecting Europe Energy Facility.

The Mierovo electrical station was built as part of a project of common interest of the European Union called Danube Ingrid, it is the result of cooperation between two Slovak companies - SEPS and ZSD - and the Hungarian distribution system operator E.ON Észak-dunántúli Áramhálószaki Zrt. It is a project with priority status and a position of the highest national importance.

Thanks to the construction of the Mierovo station, the capacity for the integration of energy producers from renewable sources into the distribution system will be expanded, the connection of new consumers will be improved, and at the same time, the safety and reliability of distribution in the region will increase.

You can read more about the ZSD report [HERE](#).

■ **SIEA informs about the amount of funds requested in the call aimed at supporting energy efficiency and the use of RES in public buildings**

On 3 September 2024, the website of the Slovak Innovation and Energy Agency (hereinafter referred to as "**SIEA**") published information on the amount of funds requested in the call of the Slovakia Program aimed at **reducing energy intensity and the use of RES in public buildings** with the code PSK-SIEA-002 -2023-DV-EFRR – **32nd evaluation round**.

SIEA states in its report that as of 27 September 2024, 707 applications were submitted within the call in question. The call remains open.

You can find out more information [HERE](#).

■ **SIEA informs about the call for submission of the national Green for Businesses project**

On 13 September 2024, the SIEA website also published information on the announcement of the call for submission of the national **Green for Businesses** pilot project (code: **PSK-SIEA-005-2024-NP-EFRR**).

The Green for Businesses national project is supposed to ensure **(i)** support for the installation of equipment for the use of RES in micro-enterprises, small and medium-sized enterprises throughout the territory of the Slovak Republic **through issued vouchers**, as well as **(ii)** an increase in the share of the use of renewable resources, taking into account the principles of sustainability and supporting the decentralization of energy production.

The text of the call is available [HERE](#).

You can find out more information [HERE](#).

■ **New operating rules of SEPS**

The company Slovenská elektrizačná prenosová sústava, a.s. (hereinafter referred to as "**SEPS**") informed on its website on 1 October 2024 that on 1 October 2024 its amended operating rules, approved by RONI decision no. 0011/2024/E-PP dated 27 September 2024, entered into force.

The SEPS operating rules, effective from 1 October 2024, are available [HERE](#).

More information is available [HERE](#).

■ **SEPS informs about the publication of the effective Document B of the Technical Conditions**

On 30 September 2024, information was published on the SEPS website that on 12 September 2024 RONI issued Decision no. 0009/2024/E-TP, which amends its decision on the approval of technical requirements for regulatory services procured by the transmission system operator and technical requirements for procured non-frequency auxiliary services (Document B) and the conditions for procurement of non-frequency auxiliary services based on market procedures by the transmission system operator.

Document B, effective from 1 October 2024, is available [HERE](#).

■ **SEPS has published the volumes of auxiliary services and the tendering rules for the procurement of auxiliary services for the year 2025**

On 27 September 2024, information was published on the SEPS website about the approval of the **volumes of auxiliary services for the year 2025**, by decision of the SEPS board of directors dated 10 September 2024.

Auxiliary services requirements for the year 2025 are available [HERE](#).

You can find out more details [HERE](#).

On 19 September 2024, SEPS also published information on the publication of **tendering rules for the procurement of auxiliary services** for the period from 1 January 2025 to 31 December 2025, which are published [HERE](#).

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