

Legal Analysis of Support Schemes for Offshore Wind Farms in Poland, on the Basis of the Draft Act on Promoting Electricity Generation in Offshore Wind Farms

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Abstract: The main objective of the study concerns the legal analysis of support schemes for electricity producers, according to the published draft act on the promotion of electricity generation in offshore wind farms in Poland. Taking into account the specificity of energy production from renewable energy sources, the application of the support scheme is of key importance for popularization of investments in a particular type of installation, in the discussed case, in offshore wind farms. The research methods applied by the author are based on formal-dogmatic, linguistic and logical methods. Commenting on the introduced legal changes, the author also considered aspects of economic analysis of the law, discussing the usefulness of the proposed solutions for the development of the offshore wind energy industry. The attention should be paid to the ambitious goals set by the legislator in connection with the development of this industry, which include avoiding a generation gap in the national power system and the fulfilment of the EU energy and climate commitments by Poland. The draft act under analysis takes into account two phases of the offshore wind farm support scheme, both based on a bilateral model of a contract for difference. If the quoted draft act is passed, it will be an important step towards the promotion of electricity generation in offshore wind farms in Poland.

Keywords: offshore wind farms, support schemes, renewable energy sources, power generation, unconventional energy

Introduction

The purpose of the study is to assess and analyze the support schemes for electricity producers on the basis of the draft act on the promotion of electricity generation in offshore wind farms published by the Minister of State Assets of Poland. Furthermore the study points out the differences concerning primarily the way how the public support is granted to producers operating in offshore wind farms. The aforementioned draft act is of key importance in terms of the future development of Polish offshore wind energy and the legislative initiative in this respect should be assessed unequivocally positively. According to the draft act, producers are to obtain the right to participate in a two-phase support system based on the contract for difference model. The regulations partially reflect the auction system, which has been functioning so far in relation to other types of renewable energy sources in Poland, and as statistics show, is already an optimal form of support for onshore wind farms in Poland. (Diallo, Dézsi, Bartek-Lesi, Mezősi, Szajkó, Kácsó, Szabó 2018: 20) Therefore the application of contract for difference model for future offshore wind farms in Poland deserves to be favourably remarked and raises justified hopes that the commented legal act will enable rapid development of offshore wind energy in Poland. The current international obligations of the Republic of Poland require legislation which particularly stimulates the development of offshore wind farms. According to

Directive 2009/28/EC, Poland must ensure a minimum 15% share of energy from renewable sources in gross final energy consumption in 2020. This obligation is reinforced by Article 3(4) of Directive 2018/2001 introducing an obligation to maintain the share of renewable energy sources in gross final consumption of energy of not less than 15 % after 2020. However, Poland's achievement of this energy target is not certain, what is evidenced by changes in governmental assumptions. Adopted by the Council of Ministers in 2009. The "National Renewable Energy Action Plan" set the expected rate of use of energy from renewable sources in 2018 at 13.79%, (Ministerstwo Gospodarki 2010: 19) while according to the published document "Energy Policy of Poland until 2040", in 2018 the share of renewable sources in the balance of energy consumption was only 10.9%. (Ministerstwo Energii 2019: 52) It should also be taken into account that, in the long term, Poland cannot stop at achieving a 15% share of renewable energy sources in gross final consumption of energy, as Article 3(1) of Directive 2018/2001 provides a new binding EU target for the share of energy from renewable sources in the European Union in gross final consumption of energy in 2030 of at least 32%, under which Poland declares to achieve a level of 21-23% of the share of renewable energy sources in gross final consumption of energy. (Ministerstwo Energii 2019: 52) Achieving the above targets requires taking steps to enable a rapid increase in the capacity installed in renewable energy sources. Such a result can be achieved, among other things, thanks to the development of offshore wind farms, enabling the production of electricity from a renewable energy source (wind power) on a very large scale. (Drożdż, Mróz-Malik 2017: 151-152) A special pro-development impulse for the development of offshore wind energy production in Poland may be the support schemes described in the discussed draft act. According to Article 2(k) of Directive 2009/28/EC, the term "support scheme" is understood as an instrument, system or mechanism applied by a Member State or a group of Member States which promotes the use of energy from renewable sources by reducing the cost of such energy, increasing the price for which it can be sold, or increasing - by imposing an obligation to use renewable energy or otherwise - the amount of energy purchased.

The existing regulations on offshore wind farms in the Polish legal system

So far, the issue of offshore wind energy has been regulated by the basic Polish law on renewable energy sources, i.e. the Act of 20 February 2015 on Renewable Energy Sources, but it cannot be assessed as a regulation sufficient for its development. The current legislation should be evaluated as not adapting the support schemes to the specificities of energy production in offshore wind farms. This concerns, in particular, provisions on how installations of different types of renewable energy sources should compete for granting the public support. Under the current rules, offshore wind farms are subject to the auction scheme under which they would have to compete with hydro or bioliquid installations for public support. (Article 73(3a) of the Act on Renewable Energy Sources). However, such a solution does not take into account far-reaching differences in the generation potential of offshore wind farms in comparison to other renewable sources, as well as significant differences in the price of electricity produced in those sources. Moreover the implementation of the investment schedule for offshore wind farms differs significantly from that used for other renewable energy installations. Therefore, it is not surprising that according to the explanatory memorandum to the draft act on the promotion of electricity generation in offshore wind farms, the current regulations do

not correspond to the legal and factual situation of offshore wind farms and do not stimulate this type of investments to a sufficient degree, which prevents the development and operation of offshore wind farms within the National Power System. (Ministry of Energy 2019: 55) This applies in particular to the support systems for offshore wind energy. Despite the formal possibility of including offshore wind farms in the existing auction system regulated by the Renewable Energy Sources Act, the legislator rightly pointed out that "the currently envisaged fifteen-year support period does not provide sufficient investment incentive as it is much shorter than the total lifetime of an offshore wind farm and does not allow the investor to obtain an adequate return on capital employed". It is therefore a rational idea to design and regulate the individual support system for offshore wind farms into a separate legal act.

Another legal act significantly affecting the legal situation of offshore wind farms in Poland is the Act of March 21, 1991 on maritime areas of the Republic of Poland and maritime administration, which regulates, among others, key issues for investment process i.e. erecting artificial islands and locating of offshore wind farms. According to Article 23(1a) of the Act construction and operating of offshore wind farms in internal waters and territorial sea is prohibited. The reasons for this provision refers, inter alia, to issues of maritime safety, the aesthetics of coastal areas and the harmful effects of wind installations on the immediate surroundings. (Herdzik 2018: 52-52). However, such a restrictive regulation should be criticised as inflexible (fixed minimum distance criterion) and potentially limiting the safeness of offshore wind farms in Poland. Due to the fact that offshore wind farms can be established only outside of Polish territorial waters consequently they cannot become an element of the European critical infrastructure. (Miętkiewicz 2019: 104) It leads to the conclusion that in the light of current legislation, despite the significant potential of electricity production and strategic advantages for the state interest, offshore windfarms will not be covered by the security procedures at the same level as in reference to onshore plants. On the other hand, it is worth appreciating that despite the fact that offshore wind farms are not part of the European critical infrastructure, this problem has been addressed in the "Strategic concept of maritime security of the Republic of Poland" . According to the document, projects related to offshore wind farms, as an aspect of Polish energy security, should be protected or shielded by the Polish Navy forces at all stages of their implementation, the protection also applies to the shipbuilding industry working for offshore wind energy sector. (Strategic concept of maritime security of the Republic of Poland 2017: 49). However, the issue of the safeness of offshore wind farms cannot be narrowed only to military issues alone, that is why the further legislative activity in this area should be postulated.

The right to cover the negative balance by electricity producers in offshore wind farms as a result of an individual decision of the President of the Energy Regulatory Office

In Article 4 of the draft act on the promotion of electricity generation in offshore wind farms, the legislator provided for the right of producers to cover the negative balance with regard to energy generated in offshore wind farms and introduced into the grid. The principles of settlement of the negative balance were regulated in Article 32(1)(3) of the draft act. The negative balance constitutes the difference between the value of electricity generated in the offshore wind farm and fed into the grid, calculated on the basis of average market prices, and the value

of that energy resulting from the decision on granting the producer the right to cover the negative balance issued by the President of the Energy Regulatory Office. It should be pointed out that for the purpose of the decision on granting support, the President of the Energy Regulatory Office sets the price of electricity per 1 MWh based on the rates given in the Ordinance issued yearly by the minister competent for energy, separately for the producers who received support in each calendar year until 2022. The legislator has therefore decided to use the mechanism of the bilateral contract for difference (Długosz 2018: 280), which has so far operated as an element of the auction system under the Renewable Energy Sources Act, for (in practice: other than offshore wind farms) installations with a total installed electrical capacity of not less than 500 kW pursuant to Article 93(2) of the Renewable Energy Sources Act, which should be evaluated as a positive regulation in light of experience of this model functioning in Poland to date. A state-owned company, Zarządca Rozliczeń S.A., was established as the settlement operator obliged to cover the negative balance by referring to Article 106 of the Renewable Energy Sources Act. It is worth noting that, unlike other installations of renewable energy sources, the legislator has reserved the minimum amount of energy in MWh, which the producer is entitled to apply for the right to cover the negative balance each time. According to Art. 7(1) of the draft act it is the product of 100 000 hours and the installed capacity of the offshore wind farm or its part resulting from the concession for the production of electricity.

Pointing out the differences between the auction system that has been functioning for other than offshore wind farms renewable energy sources in Poland so far and the discussed new mechanism of covering the negative balance, on the basis of the draft act on the promotion of electricity generation in offshore wind farms, first of all, attention should be paid to the mode of granting support. Pursuant to Article 15 par. 1 of the draft act, the right to cover the negative balance results from an individual decision issued by the President of the Energy Regulatory Office at the request of the energy producer in an offshore wind farm. The said decision determines the price which is the basis for the settlement of the negative balance during the whole period of support for the producer, which is 25 years, being 10 years longer than in the case of the auction system. The start of the 25-year support period is inaugurated "from the first day of generation and feeding into the grid of electricity from this offshore wind farm or part of it on the basis of an electricity generation concession". An offshore wind farm means the installation of a renewable energy source, which includes one or more offshore wind turbines. Therefore, taking into account the scale of the offshore wind farm projects, the question arises as to the duration of the period in which the producer is entitled to cover the negative balance if the individual turbines, consisting of an offshore wind farm, will be commissioned at different dates and stages. The wording of the provision leads to the conclusion that the 25-year period of support for the installation will be shortened by the difference between the date of generation and introduction of electricity from the first and the last turbine comprising a given offshore wind farm to the grid. However, the legislator assumed that when a producer builds and commissions an offshore wind farm in stages, the amount of energy for which the producer has the right to apply for coverage of the negative balance is calculated on the basis of each installed capacity of the offshore wind farm resulting from the electricity generation concession issued to the producer for the completed stages of construction.

In this form, the provisions on the support scheme for offshore wind farms should be assessed as exceptionally preferential compared to the auction support scheme for renewable

energy sources, where support is not granted at the individual request of a producer but is based on competition between producers based primarily on price criteria. It should be assumed that such a favourable regulation is due to a significant limitation, both in terms of subject matter and time, of the availability of this support scheme for offshore wind farms. According to Article 5 (1) of the draft act, the President of the Energy Regulatory Office may issue a decision to grant support only to offshore wind farms whose total installed capacity will not exceed 4600 MW. On the other hand, as stipulated in Article 5 (2) of the draft act, the order in which the right to cover the negative balance will be granted will be determined by the order in which the applications are submitted, and the decisions on granting support, for complete applications submitted not later than September 30, 2022, will be issued by December 31, 2022. It should be emphasized that in the context of the dynamics of the investment process related to the development of an offshore wind farm project, it is not a distant time, and the legislator allowed the possibility of obtaining support only for projects at an advanced level of development. This was regulated in Article 13 (3) of the draft act, which includes a catalogue of documents that must be obtained in order to effectively apply for support in the form of an individual decision to cover the negative balance. According to the aforementioned provision, the possibility of obtaining support refers only to those offshore wind farm projects which by December 31, 2022 will obtain, among others, an agreement on the connection of the offshore wind farm to the transmission or distribution grid, a decision on environmental conditions, as well as a valid permit for the erection and use of artificial islands, structures and equipment in Polish maritime areas for projects located in the exclusive economic zone. By far the third criterion quoted is the most restrictive. Pursuant to the decision of 3 February 2017 issued by the Minister of Maritime Economy and Inland Navigation, on the basis of Article 23 (8) of the Act on Maritime Areas of the Republic of Poland and maritime administration, pending and new administrative proceedings in the field of permits for erection or use of artificial islands, structures and equipment in Polish maritime areas have been suspended until the adoption, by way of a regulation, of spatial development plans for internal sea waters, territorial sea and exclusive economic zone. Pursuant to Directive 2014/89/EU of the European Parliament and of the Council establishing a framework for maritime spatial planning, the deadline for its adoption is 31 March 2021. Taking into account that as of the date of publication of the draft act on the promotion of electricity generation in offshore wind farms, the said plan has not been adopted, it should be stated that the possibility of obtaining support in the form of an individual decision to grant the producers the right to cover the negative balance, applies only to projects which obtained a permit to erect and use artificial islands, structures and equipment before 3 February 2017. By reason of the above, the thesis that the scrutinized mechanism was envisaged only for a narrow group of entities with the highest level of investment process advancement and will constitute a specific kind of bonus for early generation of electricity, seems justified. Taking into account the expectations concerning the rate of capacity growth in connection with the implementation of investments in offshore wind farms in Poland, such a significant limitation deserves a negative assessment. Moreover, this raises doubts in the context of Article 107 of the Treaty on the Functioning of the European Union, which prohibits aid granted by Member States or through State resources in any form whatsoever which distorts or threatens to distort competition by favouring certain undertakings or the production of certain goods, in so far as it affects trade between Member States. Within the framework of the case law of the Court of

Justice of the European Union, the following elements constitute State aid: (a) advantage, (b) selectivity, (c) State resources, (d) effect on trade between Member States. (Kurcz 2012: Lex) All these elements are corresponding to the support scheme, therefore, in Article 6(1) of the draft act the legislator stipulated that the commencement of the period in which a producer of electricity in an offshore wind farm may use the right to cover the negative balance is subject to the issuance of a decision on the compatibility of the granted public aid with the internal market, pursuant to Article 31(1) of the draft act. Another mechanism adapting the discussed system of support to the EU rules related to granting public aid is the examination of the incentive effect. The incentive effect means that, as a result of the State measure, the aid beneficiary is expected to undertake activities which are desirable from the point of view of the public authorities and which it would not undertake in the normal course of its business. The incentive effect therefore is applied to assess whether the objective of the State intervention could be achieved through a market mechanism or whether the state aid was needed for specific investment objectives. (Kociubiński 2012: 18) Article 10 (1) of the draft act makes the granting of the right to cover the negative balance to the producers dependent upon obtaining official confirmation of the incentive effect from the President of the Energy Regulatory Office. It is issued on the basis of the technical and economic description of the planned offshore wind farm investment. The main task of the President of the Energy Regulatory Office is to decide whether the investment could be implemented if the producer was not granted support in the form of the right to cover the negative balance. Otherwise, the granted support would be qualified as operating aid for the entrepreneur, incompatible with Article 107(3) of the Treaty on the Functioning of the European Union. (Kociubiński 2012: 18)

The quoted support scheme, in the form of individual granting of the right to cover the negative balance to producers, as intended by the legislator, is to constitute the first phase of support for the most advanced offshore wind farm projects with a total capacity of no more than 4.6 GW. According to the explanatory memorandum of the draft act, this preferential support scheme is to ensure rapid growth of electricity production from zero-emission sources, which will have an impact not only on Poland's fulfilment of its obligations under EU directives, but may also contribute to the mitigation of the risk of a generation gap, i.e. a capacity shortfall against demand. (Polskie Sieci Elektroenergetyczne 2016, Urząd Regulacji Energetyki 2019) The estimated potential for development of offshore wind farms in Poland, however, far exceeds the aforementioned 4.6 GW, and according to the announcements of the Government Plenipotentiary for Renewable Energy Sources, being estimated between 8 and 10 GW in 2040. (Ministry of Climate 2020) Therefore, the draft act on the promotion of electricity generation in offshore wind farms provides for the functioning of the second support scheme, going beyond the above-mentioned 4.6 GW of installed capacity by the end of 2022.

Auctions for offshore wind farms

According to the intention of the legislator, the second phase of support for offshore wind farms will be an auction system. The basic assumption of the auction system is that investors in competitive tenders will apply for a long-term differential contract for the sale of electricity. (Pawelczyk 2017: 36) It should be emphasized that the auctions for offshore wind farms will be autonomous from the auctions organized so far on the basis of Article 69a of the Act on Renewable Energy Sources. This means not only the technical regulation of auctions

for offshore wind farms in a separate legal act, but also, according to the principle that electricity generated in a given renewable energy sources installation may use only one support scheme at a time (Przybylska 2019: Lex) the possibility for offshore wind farms to use only the auction system covered by the draft act. According to the legislator's assumptions, auctions will be organised in the "pay as bid" model. This means that the producer selling electricity on the market is entitled to cover the negative balance, i.e. the difference between the price for electricity resulting from the auction offer and the price for which it managed to sell electricity on the market. It seems that an interesting alternative to the 'pay as bid' auction system could be to use the 'pay as clear' model. According to the 'pay as clear' principle, once the auction is settled, all successful bidders can exercise their right to cover the negative balance established in relation to the highest price chosen at the auction. In this way, all beneficiaries of the auction theoretically could benefit from the same scope of support after the end of the tender procedure. (Capacity mechanism working group 2015: 4) The "pay as bid" system induces higher risks for producers as it clearly favours producers making higher bids. (Capacity mechanism working group 2015: 4) As a rule, the higher the accepted energy price, the potentially higher the value resulting from the right to cover a negative balance. A regulatory solution that limits this mechanism, leading to a reduction of differences between the auction bids, is the publication by the minister competent for energy of ordinance on reference prices. In accordance with Article 22 (1) of the draft act, the reference price is the maximum price in PLN per 1 MWh that may be indicated in the bids submitted in the auction by producers producing electricity in offshore wind farms. Bids submitted in the auction with the price exceeding the reference price are rejected pursuant to Article 25 (9) of the draft act. By the ordinance minister competent for energy is obliged to aim at the state energy policy, security of the power system, international obligations, environmental protection issues, technical and economic parameters of the operation of offshore wind farms, operating and investment costs related to the offshore wind farm project, justified return on capital employed for investment, as well as economic and social considerations (Article 22 (2) of the draft Act). In this context, it should be stated that the regulation on reference prices is an important tool providing elasticity to the energy market situation for offshore wind farms.

The interesting solution, applied in the draft act on promotion of electricity generation in offshore wind farms, is the indication by the legislator of specific calendar years in which the President of the Energy Regulatory Office is obliged to organise auctions for offshore wind farms in the future. Moreover, the legislator indicated the maximum total installed electric power of the offshore wind farms, in relation to which the right to cover the negative balance during each of these auctions may be granted. According to the draft act, the first auction for offshore wind farms is to take place in 2023, and the contractable capacity will be the difference between 4600 MW and the total installed electric capacity of the offshore wind farms, for which the President of the Energy Regulatory Office has previously issued an individual decision to grant the right to a negative balance (by the end of 2022), provided that the difference is at least 500 MW. Consequently the range of the first auction for offshore wind farms has been closely linked to the effectiveness and, in principle, the widespread use of the first support phase. Subsequent auction sessions are planned for 2025 and 2027, establishing that in both cases the total installed capacity of the contracted offshore wind farms will not exceed 2.5 GW. The legislator also allowed the auction in 2028 if the total capacity resulting from the bids

submitted in the 2027 auction turns out to be lower than the maximum value of the capacity allocated for this auction, provided that the difference is at least 500 MW. The draft act also provides a solution whereby the difference between the maximum installed capacity of wind farms for a specific auction and the actual capacity resulting from the bids that won the auction increases the maximum installed capacity of offshore wind farms for which the right to cover the negative balance at the next auction may be granted. However, the above parameters concerning the installed capacity of the offshore wind farms receiving the right to cover the negative balance as a result of the auction decision, described in the draft act, may be changed by issuance an ordinance of the Council of Ministers related to the security of operating of the National Power System. It should also be mentioned that there is a possibility under Article 23(7) of the draft act to arrange additional auctions not included in the statutory schedule, organised additionally by way of an ordinance of the Council of Ministers by 30 April of each calendar year.

This transparent way of organizing auctions included in the draft act should be appreciated, as it directly affects the investment certainty related to offshore wind farms. The advantages of this solution are understood against the background of the current way of organizing auctions for other renewable energy installations. Although, in accordance with Article 73(1) of the Renewable Energy Sources Act, the President of the Energy Regulatory Office is obliged to organise them annually, the maximum amount and value of electricity from renewable energy sources that can be sold by auction is each time regulated by separated ordinance. The Act on Renewable Energy Sources does not even indicate the minimum value of electricity that may be specified in this regulation. It leads to the conclusion that within the ordinance the Council of Ministers may set the amount and value of electricity at PLN 0 and 0 megawatt hours, for all or some categories of renewable energy source installations entitled to participate in auctions. (Muszyński 2020: Legalis) so, the guarantee of annual auctions does not provides possibility for producers to participate in them. This problem has been effectively solved in the draft act on promoting electricity generation in offshore wind farms, where the schedule and the capacity are transparently included in the draft act. The regulation, which in turn may lead to the limitation of application of the auction system for offshore wind farms, is Article 24 (6) of the draft act, stipulating that the auction shall not be settled if less than three bids meeting the requirements presented in the act have been submitted. As one of the requirements for the President of the Energy Regulatory Office to issue the certificate of admission to the auction is the presentation by the producer a valid permit for the erection and use of artificial islands, constructions and equipment in Polish maritime areas for projects located in the exclusive economic zone, it can be concluded that the development of the auction system for offshore wind farms depends on two circumstances, i.e. first of all, the scale of support granted to the producers under the first phase until the end of 2022, and secondly, the awaited adoption of the spatial development plan for internal sea waters, territorial sea and the exclusive economic zone and then the dynamics of investment activities.

The factor which stimulating the dynamism of the offshore investments in Poland can be the extended period during (comparing to other installations of renewable energy sources) in which the producer, as the winner of the auction, is entitled to cover the negative balance. According to Article 30 (2) in connection with Article 6 of the draft act, the right to cover the negative balance is vested to the winners of the auction for a period of 25 years, counting from

the first day of generation and introduction of electricity from the offshore wind farm or its part to the grid on the basis of the obtained license for the generation of electricity. The method of settlement of the right to the negative balance by the auction winners for offshore wind farms is analogous to the first phase of the support scheme presented above. Similarly, the state-owned company Zarządca Rozliczeń S.A. was established as the settlement operator. The provisions concerning the rigidly determined amount of energy in MWh, with respect to which the producer has the right to apply for coverage of the negative balance (product of 100 000 hours and from the installed capacity of the offshore wind farm or its part resulting from the license for the generation of electricity) are also applicable here.

Summary

The draft act on the promotion of electricity generation in offshore wind farms takes into account two phases of the support schemes for electricity producers: the first one until 31 December 2022 and the second one from 2023 to 2027 with the statutory possibility of an additional auction in 2028 and further organisation of the auction on the basis of the ordinance of the Council of Ministers. The main difference between the two phases lies in the manner of selecting the entities that will be entitled to benefit from the support scheme. In particular, the first stage of granting support does not deserve for clearly positive evaluation, as the legislator considers that the support will be granted by way of an individual decision of the President of the Energy Regulatory Office for a very limited number of entities, what raise doubts from the point of view of European Union's regulations on state aid, primarily in the light of Article 107 treaty on the functioning of the European Union. Restrictive eligibility criteria for this scheme may result in limiting the initial dynamics of growth of installed capacity in offshore wind farms. The second phase, on the other hand, involves granting support through a competitive auction system, which provides competitions between the producers' bids settled primarily on the basis of the price criterion. In both cases, the support granted to the producers consists of granting them the right to cover the negative balance, which means that the sale of electricity from wind farms will be carried out in the model of a bilateral contract for difference. It can be assessed as a beneficial solution, in the light of the fact that over the last 5 years this model has been successfully used for onshore windfarms and other renewable energy sources in Poland (Urząd Regulacji Energetyki 2020), although it should be stressed that the version proposed for offshore wind farms contains significant differences. It is also worth to remark that the legislative initiative aimed at regulating the issues of offshore wind energy and support schemes into a separate legal act, deserves a clearly positive assessment. There is a strong justification for this, since the implementation of this type of energy projects involves many differentiation from other renewable energy installations. The measure of success of the proposed solutions will be to ensure the most important objectives related to the development of offshore wind farms in Poland, i.e. first of all to prevent the emergence or maintenance of a generation gap in the national power system, as well as the fulfilment by Poland of its climate and energy obligations at the European Union level. If the discussed draft act is adopted it will be an important step towards their implementation.

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