

Force majeure: new deadline for the acceptance certificate

"The Rules for the centralized purchase and sale by the FSC of electric energy produced by renewable energy facilities" is amended with the new deadline for **submitting the acceptance certificate for the renewable energy facilities (hereinafter- "RE facilities")**.



Old edition

The deadline for submitting a copy of acceptance certificate for operation can be extended by one year if confirmation of the completion of 70% of construction work of RE facilities is provided.

In this case, the countdown of the fifteen-year purchase period starts from the day following the expiration date for the submission of documents.

Amendments



The deadline for submitting a copy of the certificate of acceptance of the RE facility into operation **may be extended by one calendar year with the provision of confirmation indicating force majeure circumstances.**

The extension of the term shall be arranged by signing an additional agreement to the existing power purchase agreement.

As such, in case of an extension of the period, the countdown of the fifteen-year purchase period starts from the day following the expiration date for the submission of documents **excluding the renewal period.**

At present, it is safe to say that the success of international and national commercial activities depends on the timely fulfillment of the obligations assumed by the parties. However, in some cases, due to circumstances beyond the control of the parties, the performance of such obligations is practically impossible. Such circumstances could be treated as **force majeure**.



The occurrence of force majeure does not cancel the performance of the contract, but only releases from liability for its untimely performance.

The addition of a clause on the extension of the term due to force majeure is one of the ways to maintain the renewable energy sector during the pandemic of **Covid-19**.

