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## Newsflash

05 June 2024

### The framework for the development of Offshore Wind Farms after L. 5106/2024

L. 5106/2024 (Articles 113-116, as well as 127-131) introduced some important changes regarding the framework for the development of Offshore Wind Farms (OWF), as regulated in L. 4964/2022. The amendments mainly relate to the licensing and research process that precedes the planning and development of OWF Projects. These changes accelerate the process of maturing the areas where these projects will be located and reduce regulatory and investment risk.

In particular:

#### Potentiality of conducting research and measurements at central level

The new law provided for the possibility for the research and measurements necessary for the development and operation of OWF Projects to be carried out not only by private entities, but also by the OWF Entity (HEREMA S.A.) or by a special purpose vehicle on behalf of the latter.

#### Disposal of data

Equally important is the fact that the data collected, following research and measurements by the OWF Entity or the special purpose vehicle, can be made available to interested parties in return for a fee. The amount of the fee and the required documentation will be determined by a decision of the Minister of Environment and Energy. As a result, any private party may either apply for a Research Licence itself or rely on the data collected by the OWF Entity or the special purpose vehicle to obtain access to the results of their research and measurements for a subset of OWFODA (Offshore Wind Farms Organised Development Areas).

#### Issuance of a Research Licence

With regards to the procedure for obtaining a Research Licence, the following differences are highlighted. Firstly, the application of any interested party must now be accompanied by proof of the deposit of a Research Licence fee of € 50,000, instead of the previous € 10,000 fee. Secondly, an interested party who, following an admissible application, becomes the holder of a Research Licence, may increase the number of OWF Research Licenses without having to submit a new application. The only requirements are that the applicant expresses an interest within the time limit set by the

OWF Entity and submits the aforementioned Research Licence fee, the required letter of guarantee and any technical information that may be requested. Finally, the letter of guarantee submitted as part of the application for licensing, will be returned, if the amount of the fee paid by the interested party for the data provided by the OWF Entity exceeds the amount of the letter of guarantee.

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This Newsletter aims to provide the reader with general information on the above-mentioned matters. No action should be taken without first obtaining professional advice specifically relating to the factual circumstances of each case.

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