

BRATISLAVA LAW REVIEW

PUBLISHED BY
THE FACULTY OF LAW,
COMENIUS UNIVERSITY
BRATISLAVA

ISSN (print): 2585-7088
ISSN (electronic): 2644-6359

VRABKO, MARIÁN ET AL.: PRÁVO V ENERGETIKE [LAW IN ENERGY SECTORS]. WOLTERS KLUWER, 2023 / Jakub Handrlica

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Submitted: 01 February 2024
Published: 07 July 2024

Suggested citation:

Handrlica, J. (2024). Vrabko, Marián et al.: Právo v energetike [Law in Energy Sectors]. Wolters Kluwer, 2023. *Bratislava Law Review*, 8(1), 251-254. <https://doi.org/10.46282/blr.2024.8.1.827>

There has been an increasing tendency to offer energy law courses in legal education at the law schools in Central Europe. This tendency clearly reflects the discussion on the energy transition towards a low carbon economy, the struggle for energy security, and also challenges arising from the phenomenon of energy poverty. A course in energy law is being offered by the Institute of Law and Technology at the Masaryk University in Brno. At the University of Olomouc, a course on energy and mining law is available. In Prague, a course on nuclear law is being offered to the students by myself for several years now. Very recently, a course in energy law was introduced at the Faculty of Law, Comenius University Bratislava. In this respect, a handbook entitled *Právo v energetike* [Law in the Energy Sectors] was published by Wolters Kluwer publishing house in 2023. This handbook, authored by *Bronislava Krištof, Roman Oleksik, Tomáš Šipoš* and *Marián Vrabko*, represents another contribution to the development of energy law as a teaching subject as well as a subject of legal research. The authors are both academicians and lawyers, practising energy law in their professions.

The text of the handbook is written in an understandable language and will undeniably serve the students as a good source for their study. The questions to check the understanding of basic issues are added at the end of each chapter. Also, the handbook contains several graphs and maps, which serve to illustrate selected issues.

In the introduction, the handbook provides a basic overview of the energy industry. This introduction is indispensable in a handbook of this sort, as it will provide the necessary knowledge on basic technical issues for students. In the second chapter, the handbook outlines certain basic economic methods of energy regulation which are important for the subsequent understanding of the content of energy law. Both these chapter were authored by *Tomáš Šipoš*.

Further, a chapter is dedicated to the sources of energy law. While the authors (*Tomáš Šipoš* and *Marián Vrabko*) pay attention both to sources of EU law and international public law, they do not reflect various instruments of soft law, produced by the states and by the operators of networks. The fact is, however, that these sources of law may play quite an important role in the practical application of energy law.

One chapter of the handbook focuses on the relation of energy law to other fields of law. This chapter, authored by *Roman Oleksik* underlines the fact that energy law is composed both by the norms, traditionally belonging to public, or private law. In the same vein as aviation law, mining law, medical law, and space law, also energy law is a result of technological and societal developments of the last decades. In this chapter, the author appropriately points out to relations of energy law towards the regulations of urban planning, state subsidies, competition etc. Only a minor part (pp. 76-79) has been dedicated to the mutual relations between energy law and environmental law, which can be understood as a result of the limited space available. However, this field is certainly worth of further elaboration in the future, in particular the process of energy transition towards a low carbon economy.

Several chapters of the book are devoted to stakeholders active in the field of energy law. In this respect, the role of the Ministry of Economy, the Regulatory Office for Network Industries, and the Nuclear Regulatory Authority are being analysed. Also, the author (*Tomáš Šipoš*) here pays attention to the role of municipalities in energy law.

Two other chapters deserve further attention. Firstly, *Bronislava Krištof* authored the chapter dealing with data protection in energy law. Here, the author pays special attention to data protection with respect to the consumer protection in the energy sector. Secondly, *Tomáš Šipoš* and *Marián Vrabko* contributed a chapter addressing digitalisation in energy industries. This chapter is very novel and is in line with the recent shift of interest in public law towards the digitalisation of public administration.

Having briefly outlined the major parts of the handbook, one may argue that other topical issues in energy law currently exist which would deserve attention – final disposal of spent nuclear fuel in a deep-geological repository, facilitating of energy security and price regulation represent just few of these issues. However, it is understandable that the reviewed handbook primarily reflects the content of the course, which is part of the instruction at the Law Faculty of the Comenius University in Bratislava.

Reflecting on the dynamic nature of this field, I would also like to use this opportunity to mention three issues, which in my view could enrich the prospective 2nd edition of this handbook:

Firstly, right in the introduction, the authors refer to the crucial discussion on the conceptualisation of energy law as a distinctive discipline in legal education and research. The reviewed handbook may serve as a perfect demonstration of the fact that this conceptualisation has also been adopted in Central Europe. Having said this, however, any future edition of the handbook will benefit from the chapter outlining the basic principles of energy law. The benefit of this approach would be twofold. On one hand, distinctive principles will clearly further support the argument on energy law as a distinctive field of education and research and, at the same time, they will distinguish energy law from other disciplines of education – in particular from environmental law, mining law and climate change law. At the same time, outlining of basic principles would be beneficial face to face to the very dynamic changes in the energy sector, the process of energy transition and the overall emergence of new technologies.

Secondly, several parts of the handbook address the gas infrastructure and its legal framework. In this respect, it would be worth to reflect the turbulent changes in the gas industry and in particular the emerging plans for a massive hydrogen deployment. In

2020, the European Commission adopted a *Hydrogen Strategy* setting out a vision for the creation of a European hydrogen ecosystem from research and innovation to production and infrastructure, and development of international standards and markets. Hydrogen is expected to play a major role in the decarbonisation of industry and heavy-duty transport in Europe and globally. As part of the 'Fit for 55' package, the Commission has introduced several incentives for its uptake, including mandatory targets for the industry and transport sectors. Hydrogen is also a key pillar of the REPowerEU Plan to get rid of Russian fossil fuels. Consequently, it would be worth to strengthen the attention to legal implications of hydrogen deployment in the next edition of the handbook.

Lastly, any forthcoming edition of this handbook would benefit from a chapter, addressing legal issues arising from the newly emerging energy technologies. Energy accumulation and batteries are just few of the very topical examples, which are currently widely discussed and have broad legal consequences.

At this place, I would like to stress that this was said purely to suggest the authors further ideas for any of the forthcoming editions of the handbook, which will certainly come very soon.

Having said this, I believe the newly published handbook *Právo v energetike* [Law in the Energy Sectors] will become a useful companion for those students, who intend to gain basic knowledge in the very topical field of energy law. It is also a good contribution to the energy law branch, which has been currently emerging as a distinctive subject of legal education in Central Europe.

