

SCHEDULE 1

CONDITIONS OF ELIGIBILITY FOR GBROCS

- (a) (a) This paragraph applies where:
 - (i) a qualifying arrangement (“the applicable qualifying arrangement”) provided for the building of a generating station at a specified location (“the location”);
 - (ii) the applicable qualifying arrangement was terminated due to the operator of the generating station to which it applied having committed an unremedied breach of it; and
 - (iii) the last period in the tables contained in Schedule 1 to the Non-Fossil Fuel Order which relates to the applicable qualifying arrangement has not expired.
- (b) If this paragraph applies then it is a condition of eligibility that the electricity to which the GBROC relates was not generated by a generating station that is situated at the location and to which the applicable qualifying arrangement applied at the time it was commissioned, or which is owned or operated by a person who was a party to the applicable qualifying arrangement (or who is a connected person or a linked person in relation to any such party).
- (c) This paragraph does not apply to a GBROC relating to electricity generated by a generating station which, during the month in question, generates only electricity which is sold pursuant to another extant qualifying arrangement.
- (d) In this paragraph and in paragraph 17, in relation to a person who is a party to the applicable qualifying arrangement (“the first person”), another person (“the second person”) is a “linked person” where the second person has given or has arranged to give or has ensured or has arranged to ensure that the first person is given, a financial or other inducement relating to any right or interest in, or in respect of, the construction or operation of a generating station at the location.
- (e) The references in sub-paragraph (d) to the first person and the second person shall include any person who is a connected person in relation to either of them.