
STATUTORY RULES OF NORTHERN IRELAND

2009 No. 154

ELECTRICITY

The Renewables Obligation Order (Northern Ireland) 2009

Laid before the Assembly in draft

Made - - - - 27th March 2009

Coming into operation 1st April 2009

**THE RENEWABLES OBLIGATION
ORDER (NORTHERN IRELAND) 2009**

PART 1

Introductory Provisions

1. Citation and commencement
2. Interpretation
3. Waste as a renewable energy source
4. Biomass and fuels which are to be treated as biomass

PART 2

The Renewables Obligation

5. The renewables obligation
6. Part of calculation A referable to Great Britain
7. Part of calculation A referable to Northern Ireland
8. Calculation A
9. Calculation B
10. Calculation C
11. Determining the number of renewables obligation certificates to be produced in an obligation period
12. Determining the number of renewables obligation certificates to be produced by a designated electricity supplier in order to discharge his renewables obligation
13. Further provision in relation to the production of renewables obligation certificates

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Renewables Obligation Order (Northern Ireland) 2009. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

PART 3

Matters to be certified by and content of NIROCs

14. Matters to be certified by NIROCs
15. When electricity is to be regarded as supplied to customers in Northern Ireland
16. When electricity used in a permitted way for NIROCs certifying matters within Article 54(5) or (6) of the Energy Order

PART 4

Cases and circumstances when a NIROC must not be issued

17. Excluded generating stations
18. Generating stations first commissioned before 1st January 1990
- 18A. Generating stations accredited for longer than 20 years
19. Generating stations in respect of which a NFFO arrangement applied but was terminated
20. Non-commissioned generating stations in respect of which a NFFO arrangement applies
21. Circumstances in which no NIROCs are to be issued in respect of electricity generated from renewable sources

PART 5

NIROCs to be issued by Authority in respect of renewable output

22. NIROCs to be issued by Authority in respect of a generation station's renewable output
23. Calculating a generating station's renewable output
24. Renewable output of a qualifying combined heat and power generating station

PART 6

Banding and Grandfathering

25. The amount of electricity to be stated in each NIROC
26. Qualifying combined heat and power generating stations
27. Microgenerators
- 27A. Qualifying onshore wind stations and qualifying solar photovoltaic stations
- 27B. Qualifying hydro stations
28. Generating stations which were accredited as at 11th July 2006
29. Generating stations which were accredited, or held preliminary accreditation, as at 31st March 2009
30. Generating stations in respect of which a statutory grant has been awarded
31. Review of banding provisions

PART 7

Issue and Revocation of NIROCs

32. Issue of NIROCs to generators and suppliers
33. Issue of NIROCs to agents

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Renewables Obligation Order (Northern Ireland) 2009. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

34. General criteria for the issue of NIROCs
35. Further criteria applicable to NIROCs certifying matters within Article 54(3) and (4) of the Energy Order
36. Further criteria applicable to NIROCs certifying matters within Article 54 (4) and (6) of the Energy Order
37. Refusing to issue and revoking NIROCs
- 37A Where NIROCs cannot be revoked
38. NIROCs: financial bids

PART 8

Payments to discharge the renewables obligation, dealing with the buy-out and late payment funds

39. Interpretation
40. Payments to discharge the renewables obligation
41. Late Payments to discharge the renewables obligation
42. Dealing with the buy-out fund: payments into the Consolidated Fund and to the Great Britain authority
43. Dealing with the late payment fund: payments into the Consolidated Fund and to the Great Britain authority
44. Dealing with the buy-out and late payment funds: payments to United Kingdom suppliers

PART 9

Provision of information, functions of the Authority and modifications of this Order in relation to microgenerators in certain circumstances

45. Provisions of information to the Authority
46. Information to be provided to the Authority where electricity is generated from biomass
47. Provision of information to the Department
48. Exchange of information with the Great Britain authority
49. Functions of the Authority
50. Preliminary accreditation and accreditation of generating stations
51. NIROC Register
52. Modification of this Order in relation to microgenerators in certain circumstances
53. Revocation, transitional and savings
Signature

SCHEDULE 1 CALCULATION OF THE OBLIGATION

SCHEDULE 2 ELECTRICITY TO BE STATED IN NIROCS

PART 1 — INTERPRETATION

1. (1) In this Schedule—“AD” means electricity generated from gas...

PART 2 — AMOUNT OF ELECTRICITY TO BE STATED IN NIROCS GENERALLY

PART 3 — AMOUNT OF ELECTRICITY TO BE STATED IN NIROCS WHERE ARTICLE 28(3) APPLIES

PART 4 — AMOUNT OF ELECTRICITY TO BE STATED IN NIROCS WHERE ARTICLE 28(5) OR ARTICLE 29(4) APPLIES

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Renewables Obligation Order (Northern Ireland) 2009. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

SCHEDULE The NIROC Register

3

1. The Authority must maintain the Register referred to in Article...
 2. The Register must identify whether or not a NIROC subsists...
 3. Particulars of a NIROC comprise— (a) the name of the...
 4. A person may only be the registered holder of a...
 5. The Authority may from time to time draw up procedural...
 6. The Authority must delete from the Register—
 7. Where the registered holder of a NIROC and a person...
 8. Where the Authority receives requests under paragraph 7(a) it must...
 9. Where— (a) a NIROC is issued under this Order, or...
 10. The substitute cannot be the registered holder of a NIROC...
 11. The Register may be amended by a decision of the...
 12. The contents of the Register (including the entries referred to...
 13. Where any person considers that an entry maintained in respect...
 14. The Authority must in any procedural guidelines which it produces...
 15. “Banking day” means a day on which banks are generally...
- Explanatory Note

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Renewables Obligation Order (Northern Ireland) 2009. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Sch. 1 word substituted by [S.R. 2013/116 art. 30\(1\)](#)
- Sch. 2 Pt. 2 substituted by [S.R. 2013/116 art. 32](#)
- Sch. 2 word substituted by [S.R. 2011/169 art. 16](#)
- Regulations modified by S.I. 2019/289, reg. 5, Sch. 3 (as amended) by [S.R. 2020/284 reg. 3\(3\)\(5\)](#)
- art. 2(1) temp. (modified) by [S.R. 2021/139 art. 2\(2\)](#)
- art. 2(1) words inserted by [S.R. 2011/169 art. 3\(2\)](#)
- art. 2(1) words inserted by [S.R. 2013/116 art. 2\(2\)](#)
- art. 2(1) words inserted by [S.R. 2013/116 art. 2\(3\)](#)
- art. 2(1) words inserted by [S.R. 2013/116 art. 2\(4\)](#)
- art. 2(1) words inserted by [S.R. 2013/116 art. 2\(6\)](#)
- art. 2(1) words inserted by [S.R. 2013/116 art. 2\(7\)](#)
- art. 2(1) words inserted by [S.R. 2014/146 art. 2\(2\)](#)
- art. 2(1) words inserted by [S.R. 2016/84 art. 2\(a\)](#)
- art. 2(1) words inserted by [S.R. 2016/84 art. 2\(b\)](#)
- art. 2(1) words inserted by [S.R. 2016/84 art. 2\(f\)](#)
- art. 2(1) words omitted by [S.R. 2016/84 art. 2\(c\)](#)
- art. 2(1) words revoked by [S.R. 2011/127 reg. 68\(2\)\(b\)](#)
- art. 2(1) words substituted by [S.R. 2011/127 reg. 68\(2\)\(a\)](#)
- art. 2(1) words substituted by [S.R. 2011/169 art. 3\(3\)](#)
- art. 2(1) words substituted by [S.R. 2013/116 art. 2\(5\)](#)
- art. 2(1) words substituted by [S.R. 2013/116 art. 2\(9\)](#)
- art. 2(1) words substituted by [S.R. 2014/146 art. 2\(3\)](#)
- art. 2(1) words substituted by [S.R. 2016/84 art. 2\(d\)](#)
- art. 2(1) words substituted by [S.R. 2016/84 art. 2\(e\)](#)
- art. 2(1) words substituted by [S.R. 2016/84 art. 2\(g\)](#)
- art. 2(1) words substituted by [S.R. 2016/84 art. 2\(h\)](#)
- art. 2(1) words substituted by [S.R. 2016/84 art. 2\(i\)](#)
- art. 2(1) words substituted by [S.I. 2016/1108 reg. 5](#)
- art. 2(1) words substituted by [S.I. 2017/1234 reg. 13\(2\)](#)
- art. 2(2) words inserted by [S.R. 2011/169 art. 3\(4\)](#)
- art. 2(4) substitute by [S.R. 2011/169 art. 3\(5\)](#)
- art. 3(2)(b) substitute by [S.R. 2011/169 art. 4](#)
- art. 4(4) words inserted by [S.R. 2011/169 art. 5](#)
- art. 4(7) words substituted by [S.R. 2016/84 art. 3\(c\)](#)
- art. 6 substituted by [S.R. 2011/169 art. 12\(9\)](#)
- art. 13(3)(4) substituted for art. 13(3)-(6) by [S.R. 2013/116 art. 4\(2\)](#)
- art. 13(8) omitted by [S.R. 2013/116 art. 4\(3\)](#)
- art. 15 words substituted by [S.R. 2013/116 art. 5](#)
- art. 21(1) words omitted by [S.R. 2013/116 art. 7\(2\)](#)
- art. 21(3)(a)(v) word omitted by [S.R. 2013/116 art. 7\(4\)](#)
- art. 21(3)(a)(iv) word omitted by [S.R. 2013/116 art. 7\(3\)](#)
- art. 22(1) words inserted by [S.R. 2011/169 art. 8](#)
- art. 22(2) words substituted by [S.R. 2016/84 art. 6\(a\)](#)
- art. 23(3)-(5) substituted by [S.R. 2013/116 art. 11\(4\)](#)
- art. 24(1) words inserted by [S.R. 2013/116 art. 12\(2\)\(a\)](#)
- art. 24(1) words omitted by [S.R. 2013/116 art. 12\(2\)\(b\)](#)
- art. 24(3) substituted by [S.R. 2013/116 art. 12\(4\)](#)
- art. 24(4) omitted by [S.R. 2013/116 art. 12\(5\)](#)
- art. 26 substituted by [S.R. 2013/116 art. 14](#)

- art. 26 substituted by S.R. 2013/174 art. 2
- art. 27 substituted by S.R. 2015/287 art. 2
- art. 28(1) substituted by S.R. 2013/116 art. 20(2)
- art. 28(2) omitted by S.R. 2013/116 art. 20(3)
- art. 28(3) substituted by S.R. 2013/116 art. 20(4)
- art. 28(4)(a) words inserted by S.R. 2013/116 art. 20(5)
- art. 28(4)(b) substituted by S.R. 2013/116 art. 20(6)
- art. 28(5) words omitted by S.R. 2013/116 art. 20(7)(b)
- art. 28(5) words substituted by S.R. 2013/116 art. 20(7)(a)
- art. 28(6) words substituted by S.R. 2013/116 art. 20(8)
- art. 28(7)(b) words substituted by S.R. 2013/116 art. 20(9)(a)
- art. 28(7)(b) words substituted by S.R. 2013/116 art. 20(9)(b)
- art. 29(1)-(4) substituted by S.R. 2013/116 art. 22(2)
- art. 29(5)(a) words inserted by S.R. 2013/116 art. 22(3)
- art. 29(5)(b) substituted by S.R. 2013/116 art. 22(4)
- art. 29(6) words omitted by S.R. 2013/116 art. 22(5)(b)
- art. 29(6) words substituted by S.R. 2013/116 art. 22(5)(a)
- art. 30(3) words substituted by S.R. 2013/116 art. 23
- art. 31(3)(c)(ii) words substituted by S.R. 2013/116 art. 24(2)
- art. 31(3)(e) words substituted by S.R. 2013/116 art. 24(3)
- art. 31(3)(f) substituted by S.R. 2013/116 art. 24(4)
- art. 34(1)(a) words substituted by S.R. 2013/116 art. 25(2)
- art. 34(6)-(8) inserted by S.R. 2013/116 art. 25(3)
- art. 46 substituted by S.R. 2016/84 art. 7
- art. 46 heading words inserted by S.R. 2011/169 art. 12(2)
- art. 46 heading words omitted by S.R. 2013/116 art. 26(2)
- art. 46(1)(a) words inserted by S.R. 2011/169 art. 12(3)
- art. 46(1)(a) words substituted by S.R. 2014/146 art. 3(2)
- art. 46(3)(1) omitted by S.R. 2011/169 art. 12(4)
- art. 46(3)(j) word omitted by S.R. 2011/169 art. 12(5)
- art. 46(3)(j) words inserted by S.R. 2013/116 art. 26(3)
- art. 46(3)(k)(1) inserted by S.R. 2011/169 art. 12(7)
- art. 46(3)(k) words substituted by S.R. 2011/169 art. 12(6)
- art. 46(4) substituted by S.R. 2014/146 art. 3(6)
- art. 46(5) words substituted by S.R. 2014/146 art. 3(7)
- art. 46(6) word omitted by S.R. 2014/146 art. 3(8)(a)
- art. 46(6) words substituted by S.R. 2014/146 art. 3(8)(b)
- art. 49(2)(b) words omitted by S.R. 2014/146 art. 6
- art. 52(4) word omitted by S.R. 2013/116 art. 29
- 34(9)(10)(11) art. 34(6)(7)(8) renumbered as art. 34(9)(10)(11) by S.R. 2013/116 art. 25(4)

Changes and effects yet to be applied to the whole Rule associated Parts and Chapters:

Whole provisions yet to be inserted into this Rule (including any effects on those provisions):

- Sch. A1A inserted by S.R. 2016/84 art. 9Sch. 1
- Sch. A2 para. 1(1) Sch. A2 para. 1 renumbered as para. 1(1) by S.I. 2017/1234 reg. 16(2)
- Sch. A1A2 inserted by S.R. 2011/169 Sch. 1
- Sch. A2 para. 3(8A) inserted by S.R. 2014/146 art. 7(3)
- Sch. A2 para. 1(2) inserted by S.I. 2017/1234 reg. 16(3)
- Sch. A1 para. 5 omitted by S.I. 2017/1234 reg. 15(3)
- Sch. A2 para. 3(1) substituted by S.R. 2014/146 art. 7(2)
- Sch. A1 para. 6 substituted by S.I. 2017/1234 reg. 15(4)
- Sch. A2 substituted for Sch. by S.R. 2016/84 art. 10Sch. 2

- Sch. A1 para. 1 words omitted by [S.I. 2017/1234 reg. 15\(2\)\(a\)](#)
- Sch. A1 para. 1 words substituted by [S.I. 2017/1234 reg. 15\(2\)\(b\)](#)
- Sch. 2 Pt. 2A-2E inserted by [S.R. 2013/116 art. 33](#)
- Sch. 2 Pt. 2C-2E substituted by [S.R. 2013/174 art. 3](#)
- Sch. 2 Pt. 1 para. 1 comma and words omitted by [S.R. 2013/116 art. 31\(11\)\(b\)](#)
- Sch. 2 Pt. 1 para. 1(2)(c)(d) inserted by [S.R. 2013/116 art. 31\(15\)](#)
- Sch. 2 Pt. 1 para. 1(2)(a) word omitted by [S.R. 2013/116 art. 31\(14\)](#)
- Sch. 2 Pt. 1 para. 1 words inserted by [S.R. 2013/116 art. 31\(2\)](#)
- Sch. 2 Pt. 1 para. 1 words inserted by [S.R. 2013/116 art. 31\(5\)](#)
- Sch. 2 Pt. 1 para. 1 words inserted by [S.R. 2013/116 art. 31\(11\)\(a\)](#)
- Sch. 2 Pt. 1 para. 1 words omitted by [S.R. 2013/116 art. 31\(4\)](#)
- Sch. 2 Pt. 1 para. 1 words omitted by [S.R. 2013/116 art. 31\(6\)](#)
- Sch. 2 Pt. 1 para. 1 words omitted by [S.R. 2013/116 art. 31\(10\)](#)
- Sch. 2 Pt. 1 para. 1 words omitted by [S.R. 2013/116 art. 31\(13\)](#)
- Sch. 2 Pt. 1 para. 1 words substituted by [S.R. 2013/116 art. 31\(3\)](#)
- Sch. 2 Pt. 1 para. 1 words substituted by [S.R. 2013/116 art. 31\(7\)](#)
- Sch. 2 Pt. 1 para. 1 words substituted by [S.R. 2013/116 art. 31\(8\)](#)
- Sch. 2 Pt. 1 para. 1 words substituted by [S.R. 2013/116 art. 31\(9\)](#)
- Sch. 2 Pt. 1 para. 1 words substituted by [S.R. 2013/116 art. 31\(12\)](#)
- Sch. 2 Pt. 2A Table sum substituted by [S.R. 2014/146 art. 8](#)
- Sch. 2 Pt. 2B Table sum substituted by [S.R. 2014/146 art. 9\(a\)](#)
- Sch. 2 Pt. 2B Table sum substituted by [S.R. 2014/146 art. 9\(b\)](#)
- Sch. 3A inserted by [S.R. 2011/169 art 17](#)
- Sch. 3A omitted by [S.R. 2016/84 art. 11](#)
- Sch. 3A para. 2(d)(xi) substituted by [S.R. 2014/146 art. 10\(3\)](#)
- Sch. 3A para. 2(d)(x)(cc)(dd) substituted for Sch. 3A para. 2(d)(x)(cc) by [S.R. 2014/146 art. 10\(2\)](#)
- Sch. 3B inserted by [S.R. 2011/169 art 17](#)
- Sch. 3B omitted by [S.R. 2016/84 art. 11](#)
- art. 2(1)(c) inserted by [S.R. 2013/116 art. 2\(10\)](#)
- art. 2(1)(d) words omitted by [S.R. 2013/116 art. 2\(8\)\(a\)](#)
- art. 2(1)(e) inserted by [S.R. 2013/116 art. 2\(8\)\(b\)](#)
- art. 2(7) inserted by [S.R. 2013/116 art. 2\(11\)](#)
- art. 2(8) inserted by [S.I. 2017/1234 reg. 13\(3\)](#)
- art. 3A3B3C inserted by [S.R. 2011/169 art. 12\(8\)](#)
- art. 4(1)-(1B) substituted for art. 4(1) by [S.R. 2013/116 art. 3](#)
- art. 4(1A)(a) words substituted by [S.R. 2016/84 art. 3\(a\)](#)
- art. 4(1B)(a) words substituted by [S.R. 2016/84 art. 3\(b\)](#)
- art. 4A inserted by [S.R. 2011/169 art. 6](#)
- art. 18A(1)(b) words substituted by [S.R. 2013/116 art. 6\(2\)](#)
- art. 18A(3) words substituted by [S.R. 2013/116 art. 6\(3\)](#)
- art. 18A(5) words substituted by [S.R. 2011/169 art. 7](#)
- art. 21(3)(a)(vi)(vii) inserted by [S.R. 2013/116 art. 7\(5\)](#)
- art. 21A art. 22A renumbered as art. 21A by [S.R. 2013/116 art. 9](#)
- art. 21B art. 22B renumbered as art. 21B by [S.R. 2013/116 art. 10](#)
- art. 21B(b)(i)-(iii) substituted for art. 21B(b)(i)(ii) by [S.R. 2016/84 art. 5](#)
- art. 21B(1) art. 21B renumbered as art. 21B(1) by [S.I. 2019/35 Sch. 3 para. 2\(2\)](#)
- art. 21B(1)(a)(ii) words substituted by [S.I. 2019/35 Sch. 3 para. 2\(3\)](#)
- art. 21B(2) inserted by [S.I. 2019/35 Sch. 3 para. 2\(4\)](#)
- art. 21B(2) words substituted in earlier amending provision [S.I. 2019/35, Sch. 3 para. 2\(4\)](#) by [S.I. 2020/849 reg. 3\(4\)](#)
- art. 21ZA inserted by [S.R. 2016/84 art. 4](#)
- art. 22(2A)-(2B) inserted by [S.R. 2016/84 art. 6\(b\)](#)
- art. 22(3)(aa) inserted by [S.R. 2013/116 art. 8](#)
- art. 22A22B inserted by [S.R. 2011/169 art. 9](#)
- art. 23(2)(a)(ii)(cc) omitted by [S.R. 2013/116 art. 11\(3\)](#)
- art. 23(2)(a)(ii)(aa) words substituted by [S.R. 2013/116 art. 11\(2\)](#)
- art. 23(7) inserted by [S.R. 2013/116 art. 11\(5\)](#)

- art. 24(2)(aa) words substituted by S.R. 2013/116 art. 12(3)(a)
- art. 24(2)(bb) omitted by S.R. 2013/116 art. 12(3)(b)
- art. 25(2)-(10) substituted for art. 25(2)-(5) by S.R. 2013/116 art. 13
- art. 26A-26E inserted by S.R. 2013/116 art. 15
- art. 27-27D substituted by S.R. 2011/169 art. 10
- art. 27(2)-(5) substituted for art. 27(2) by S.R. 2013/116 art. 16
- art. 27(3) substituted by S.R. 2013/116 art. 17
- art. 27A(2)(3) substituted for art. 27A(2) by S.R. 2013/116 art. 18
- art. 27A(3) substituted by S.R. 2015/287 art. 3
- art. 27B(2)(c)(d) substituted for art. 27B(2)(c) by S.R. 2013/116 art. 19
- art. 28A inserted by S.R. 2013/116 art. 21
- art. 29A29B inserted by S.R. 2011/169 art. 11
- art. 34(9)(b) words substituted by S.R. 2013/116 art. 25(5)
- art. 34(10) words substituted by S.R. 2013/116 art. 25(6)
- art. 46(A) inserted by S.R. 2011/169 art. 13
- art. 46(2)-(3ZB) substituted for art. 46(2)(3) by S.R. 2014/146 art. 3(3)
- art. 46(3A) words substituted by S.R. 2014/146 art. 3(4)
- art. 46(3B)(za) inserted by S.R. 2014/146 art. 3(5)
- art. 46(4)(d) word omitted by S.I. 2017/1234 reg. 14(2)(a)
- art. 46(4)(e)(v) words substituted by S.I. 2017/1234 reg. 14(2)(b)
- art. 46(4)(f) inserted by S.I. 2017/1234 reg. 14(2)(c)
- art. 46(7) omitted by S.R. 2013/116 art. 26(4)
- art. 46(10) word omitted by S.I. 2017/1234 reg. 14(3)(a)
- art. 46(10) words inserted by S.I. 2017/1234 reg. 14(3)(c)
- art. 46(10) words substituted by S.I. 2017/1234 reg. 14(3)(b)
- art. 46A(3)(b)-(da) substituted for art. 46A(3)(b)-(d) by S.R. 2014/146 art. 4(2)
- art. 46A(3)(d) word omitted by S.R. 2013/116 art. 27(2)
- art. 46A(3)(e) semi-colon substituted for full stop by S.R. 2013/116 art. 27(3)
- art. 46A(3)(f)(g) added by S.R. 2013/116 art. 27(3)
- art. 46A(5) substituted by S.R. 2014/146 art. 4(3)
- art. 46A(8) substituted by S.R. 2013/116 art. 27(4)
- art. 46A(8) words substituted by S.R. 2014/146 art. 4(4)
- art. 46B inserted by S.R. 2014/146 art. 5
- art. 46B(2)(a)(b) words omitted by S.R. 2016/84 art. 8(a)(i)
- art. 46B(2)(b) word substituted by S.R. 2016/84 art. 8(a)(ii)
- art. 46B(6)(a)(b) words omitted by S.R. 2016/84 art. 8(b)(i)
- art. 46B(6)(b) word substituted by S.R. 2016/84 art. 8(b)(ii)
- art. 49(1A) inserted by S.R. 2011/169 art. 14
- art. 50A inserted by S.R. 2013/116 art. 28