
STATUTORY RULES OF NORTHERN IRELAND

2012 No. 396

**The Renewable Heat Incentive Scheme
Regulations (Northern Ireland) 2012**

PART 7

ENFORCEMENT

Power to suspend periodic support payments where ongoing failure to comply

44.—(1) Where the Department is satisfied that a participant is failing to comply with an ongoing obligation it may suspend that participant's periodic support payments.

(2) Within 21 days of a decision to suspend periodic support payments the Department must send a notice to the participant specifying—

- (a) the respect in which the Department is satisfied that the participant is failing so to comply;
- (b) the reason why periodic support payments are being suspended;
- (c) the date from which the suspension is effective;
- (d) the steps that the participant must take to satisfy the Department that is to comply with the ongoing obligation;
- (e) the consequences of the participant failing to take the steps required pursuant to subparagraph (d) including potential sanctions; and
- (f) details of the participant's right of review including any relevant time-limits.

(3) Within 21 days of being satisfied that the participant is complying with the ongoing obligation the Department must remove the suspension.

(4) If, within 6 months the Department is satisfied that the participant has taken the steps specified by notice under paragraph (2), the Department may pay within 28 days of being so satisfied all periodic support payments with-held under this regulation.

(5) The maximum period for which the Department may suspend a participant's periodic support payments is 1 year.

(6) Subject to paragraph (4), a participant may not recover any periodic support payments suspended in accordance with this regulation.