

**2015 No. 287**

**ELECTRICITY**

**The Renewables Obligation (Amendment) Order (Northern  
Ireland) 2015**

*Laid before the Assembly in draft*

*Made - - - - 29th June 2015*

*Coming into operation - 1st July 2015*

The Department of Enterprise, Trade and Investment (“the Department”) makes the following Order in exercise of the powers conferred upon it by Articles 52 to 55F and 66(3) of the Energy (Northern Ireland) Order 2003(a).

The Department has had regard to those matters stated in Article 54B(4) of that Order and has held a review by virtue of Article 54B(8) of that Order.

The Department has consulted the Northern Ireland Authority for Utility Regulation, the General Consumer Council for Northern Ireland, electricity suppliers to whom this Order applies, and such generators of electricity from renewable sources in Northern Ireland and other persons as considered appropriate in accordance with Article 55E of that Order.

In accordance with Article 66(2) of that Order a draft of this instrument was laid before and approved by a resolution of the Assembly.

**Citation, commencement, extent and interpretation**

1.—(1) This Order may be cited as the Renewables Obligation (Amendment) Order (Northern Ireland) 2015 and comes into operation on 1st July 2015.

(2) In this Order, “the 2009 Order” means the Renewables Obligation Order (Northern Ireland) 2009(b).

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(a) S.I. 2003/419 (N.I.6) Articles 52 to 55F were substituted by S.R. 2009 No.35

(b) S.R. 2009 No. 154 as amended by S.R. 2010 No. 134, S.R. 2011 No. 169, S.R. 2013 No. 174 and S. R. 2014 No. 146

**Amendments to Article 27 of the 2009 Order (microgenerators and qualifying new small scale generators)**

2. For Article 27 of the 2009 Order (microgenerators) substitute—

**“Microgenerators and qualifying new small scale generators**

**27.—**(1) This Article applies to a generating station which—

- (a) is an accredited microgenerator,
- (b) has not had a total declared net capacity in excess of 50 kilowatts at any time after 31st March 2009, and
- (c) is not a qualifying new onshore wind station or a qualifying new hydro station or a qualifying new solar photovoltaic station or a qualifying new anaerobic digestion station.

(2) The amount of electricity to be stated in each NIROC issued in respect of electricity generated—

- (a) by a generating station to which this Article applies, and
- (b) using—
  - (i) pre-2013 capacity, or
  - (ii) 2013/14 capacity, or
  - (iii) 2014/15 capacity,

is  $\frac{1}{2}$  of a megawatt hour.

(3) The amount of electricity to be stated in each NIROC issued in respect of electricity generated—

- (a) by a generating station to which this Article applies, and
- (b) using 2015/16 capacity,

is  $\frac{10}{19}$  of a megawatt hour.

(4) The amount of electricity to be stated in each NIROC issued in respect of electricity generated—

- (a) by a generating station to which this Article applies, and
- (b) using post-2016 capacity,

is  $\frac{5}{9}$  of a megawatt hour.

(5) In this Article and in Articles 27A to 27C—

“2010/2015 qualifying new solar photovoltaic station” means a generating station which—

- (a) generates electricity from the direct conversion of sunlight to electricity,
- (b) was accredited after 31st March 2010 and before 1st October 2015, and
- (c) has not had a declared net capacity in excess of 250 kilowatts at any time after 31st March 2010;

“2015/2016 qualifying new solar photovoltaic station” means a generating station which—

- (a) generates electricity from the direct conversion of sunlight to electricity,
- (b) was accredited after 30th September 2015 and before 1st October 2016, and

(c) has not had a declared net capacity in excess of 250 kilowatts at any time after 30th September 2015;

“2016/2017 qualifying new solar photovoltaic station” means a generating station which—

(a) generates electricity from the direct conversion of sunlight to electricity,

(b) was accredited after 30th September 2016, and

(c) has not had a declared net capacity in excess of 250 kilowatts at any time after 30th September 2016;

“qualifying new hydro station” means a hydro generating station which—

(a) was first accredited after 31st March 2010, and

(b) has not had a declared net capacity in excess of 5 megawatts at any time after 31st March 2010;

“qualifying new onshore wind station” means a generating station which—

(a) generates electricity from onshore wind,

(b) was accredited after 31st March 2010, and

(c) has not had a declared net capacity in excess of 5 megawatts at any time after 31st March 2010;

“qualifying new solar photovoltaic station” means—

(a) a 2010/2015 qualifying new solar photovoltaic station,

(b) a 2015/2016 qualifying new solar photovoltaic station, and

(c) a 2016/2017 qualifying new solar photovoltaic station;

“qualifying new anaerobic digestion station”, means a generating station which—

(a) generates electricity from gas formed by the anaerobic digestion of material which is neither sewage nor material in a landfill,

(b) was first accredited after 31st March 2011, and

(c) has not had a declared net capacity in excess of 5 megawatts at any time after 31st March 2011.

(6) This Article is subject to Article 30.”.

### **Amendments to Article 27A (Qualifying new onshore wind stations and qualifying new solar photovoltaic stations)**

3. For Article 27A(3) of the 2009 Order(a) substitute—

“(3) The amount of electricity to be stated in each NIROC to be issued in respect of electricity generated by a qualifying new solar photovoltaic station to which this Article applies is—

(a) in relation to a 2010/2015 qualifying new solar photovoltaic station which has not had a declared net capacity in excess of 50 kilowatts at any time after 31st March 2010,  $\frac{1}{4}$  of a megawatt hour;

(b) in relation to a 2015/2016 qualifying new solar photovoltaic station which has not had a declared net capacity in excess of 50 kilowatts at any time after 30th September 2015,  $\frac{1}{3}$  of a megawatt hour;

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(a) Article 27 substituted for Articles 27, 27A and 27B by Article 9 of S.R. 2010 No. 134, Articles 27, 27A and 27B substituted by Article 10 of S.R. 2011 No. 169 and Article 27A amended by Article 18 of S.R. 2013 No. 116.

- (c) in relation to a 2016/2017 qualifying new solar photovoltaic station which has not had a declared net capacity in excess of 50 kilowatts at any time after 30th September 2016,  $\frac{1}{2}$  of a megawatt hour;
- (d) in relation to a qualifying new solar photovoltaic station which has had a declared net capacity in excess of 50 kilowatts but not exceeding 250 kilowatts at any time after 31st March 2010,  $\frac{1}{2}$  of a megawatt hour.”.

**Transitional provision**

4. Nothing in this Order is to affect—

- (a) the issue and revocation of a renewables obligation certificate in respect of electricity generated before 1st October 2015, and anything which falls to be done or determined (whether by the Authority or some other person) in relation to such issue or revocation, under the 2009 Order;
- (b) any obligations or requirements imposed on an operator of a generating station or some other person in respect of the period commencing on 1st April 2014 and ending on 30th September 2015, and anything which falls to be done or determined (whether by the generator or some other person) in relation to any such obligations and requirements, under the 2009 Order;
- (c) any obligations and functions of the Authority in respect of that period, and anything which falls to be done or determined (whether by the Authority or some other person) in relation to it, under the 2009 Order.

Sealed with the Official Seal of the Department of Enterprise, Trade and Investment on 29th June 2015.



*J Mills*  
A senior officer of the  
Department of Enterprise, Trade and Investment

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends the Renewables Obligation Order (Northern Ireland) 2009 (“the 2009 Order”) and makes transitional provision.

The 2009 Order imposes an obligation (“the renewables obligation”) on all electricity suppliers which supply electricity in Northern Ireland. Suppliers must produce, by a specified day, a certain number of renewables obligation certificates (“NIROCs”) in respect of each megawatt hour of electricity that each supplies to customers in Northern Ireland during a specified period known as an obligation period. The renewables obligation is administered by the Northern Ireland Authority for Utility Regulation who issue NIROCs to renewable electricity generators in respect of their eligible renewable output.

Article 2 substitutes a new Article 27 of the 2009 Order to define a qualifying new solar photovoltaic generating station. Article 3 amends Article 27A of the 2009 Order to set the level of support for qualifying new solar photovoltaic generating stations.

Article 4 makes transitional provision in respect of the period prior to 1st October 2015.

An explanatory memorandum is available alongside this Order on [www.legislation.gov.uk](http://www.legislation.gov.uk).

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