

*Draft Order laid before the Scottish Parliament under section 32L(3) of the Electricity Act 1989, for approval by resolution of the Scottish Parliament.*

---

DRAFT SCOTTISH STATUTORY INSTRUMENTS

---

**2009 No.**

**ELECTRICITY**

**The Renewables Obligation (Scotland) Amendment Order 2009**

*Made - - - - 2009*

*Coming into force in accordance with article 1*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 32 and 32D of the Electricity Act 1989(1) and all other powers enabling them to do so.

In accordance with section 32L(3) of that Act, a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

In accordance with section 32D(4) of that Act the Scottish Ministers have had regard to the matters referred to in that section.

In accordance with section 32L(1) of that Act they have consulted the Gas and Electricity Markets Authority, the Gas and Electricity Consumer Council, electricity suppliers to whom this Order applies, and such generators of electricity from renewable sources and other persons as they considered appropriate.

In accordance with section 32D(7) of that Act, they have carried out a review.

In accordance with section 32D(8)(b) of that Act, they are satisfied that the condition specified in article 33(3)(h)(i) of the Renewables Obligation (Scotland) Order 2009(2) is satisfied.

**Citation and commencement**

1. This Order may be cited as the Renewables Obligation (Scotland) Amendment Order 2009 and comes into force on the day after the day on which it is made.

**Renewables Obligation (Scotland) Order 2009**

2.—(1) The Renewables Obligation (Scotland) Order 2009 is amended in accordance with paragraph (2).

(2) In Schedule 2 (electricity to be stated in SROCs)—

---

(1) 1989 c. 29, as substituted by section 37 of the Energy Act 2008 (c. 32).  
(2) S.S.I. 2009/140.

- (a) in Part 1 (interpretation) in paragraph 1(1) after the definition of “energy from waste with CHP” insert–

““enhanced tidal stream” means electricity generated from the capture of the energy created from the motion of naturally occurring tidal currents in water, where such electricity is not generated by devices built with or maintained by capital or revenue funding under a statutory grant programme operated by the Scottish Ministers or the Secretary of State;

“enhanced wave” means electricity generated from the motion of naturally occurring waves on water, where such electricity is not generated by devices built with or maintained by capital or revenue funding under a statutory grant programme operated by the Scottish Ministers or the Secretary of State;” and

- (b) in the table in Part 2 (amount of electricity to be stated in SROCs generally) at the end insert–

---

“enhanced tidal stream	1/3 megawatt hour
enhanced wave	# megawatt hour”.

---

St Andrew’s House,  
Edinburgh  
2009

Authorised to sign by the Scottish Ministers

## EXPLANATORY NOTE

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

This Order amends the Renewables Obligation (Scotland) Order 2009 (“the 2009 Order”). Article 2 makes provision for enhanced wave and tidal stream technologies and ensures that electricity generated from such sources is entitled to SROCs as defined in the 2009 Order.

Electricity generated from enhanced tidal stream sources will be entitled to 1 SROC per  $\frac{1}{3}$  megawatt hour generated, with electricity generated from enhanced wave sources entitled to 1 SROC per # megawatt hour generated.