
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 140

The Renewables Obligation (Scotland) Order 2009

PART 6

Banding and grandfathering

Generating stations which were accredited, or held preliminary accreditation, as at 31st March 2009

31.—(1) This article applies to a generating station—

- (a) which was accredited as at 31st March 2009;
- (b) which has not ceased to be accredited since that date; and
- (c) to which articles 28 to 30 do not apply.

(2) This article also applies to a generating station—

- (a) which is accredited on or before 31st March 2011;
- (b) which, since being accredited, has not ceased to be accredited at any time;
- (c) in respect of which preliminary accreditation was held—
 - (i) as at 31st March 2009; and
 - (ii) from that date until the date on which the station was accredited; and
- (d) to which articles 28 to 30 do not apply.

(3) Subject to paragraphs (4) to (6), the amount of electricity to be stated in each SROC issued in respect of electricity generated by a generating station to which this article applies is to be determined in accordance with article 27(4) and (5).

(4) Where the electricity generated by a generating station to which this article applies is generated in a way described in the first column of Part 4 of Schedule 2, the amount of electricity to be stated in each SROC issued in respect of that electricity is (subject to paragraph (5)) the amount which corresponds to that description in the second column of that Part of that Schedule.

(5) Where, at any time it generates electricity after 31st March 2011, the generating station's total installed capacity is greater than it was on 31st March 2011, paragraph (4) applies only in relation to SROCs which are to be issued in respect of—

- (a) where electricity generated using the total installed capacity of the station as at 31st March 2011 (“the original capacity”) is measured separately from electricity generated using capacity which has been added to the station since that date, the electricity which is generated using the station's original capacity; and
- (b) in any other case, the appropriate percentage of the electricity generated by the station (the appropriate percentage for these purposes being the total installed capacity of the station as at 31st March 2011 expressed as a percentage of the total installed capacity of the station as at the date of generation of the electricity).

(6) In relation to the remainder of the electricity generated by the generating station, the amount of electricity to be stated in each SROC is to be determined in accordance with article 27(4) and (5).

(7) This article is subject to article 32.