
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 116

The Renewables Obligation (Scotland) Amendment Order 2013

Biomass and fuels which are to be treated as biomass

4. For article 4(1) (biomass and fuels which are to be treated as biomass) substitute—

“(1) In this Order “biomass” means fuel which—

- (a) falls within paragraph (1A);
- (b) falls within paragraph (1B); or
- (c) is a fossil derived bioliquid.

(1A) Fuel falls within this paragraph if—

- (a) at least 90 per cent of its energy content is derived from material which is, or is derived directly or indirectly from, plant matter, animal matter, fungi or algae (“relevant material”); and
- (b) any fossil fuel forming part of the fuel is present following a process—
 - (i) to which the relevant material has been subject; and
 - (ii) the undertaking of which has caused the fossil fuel to be present in, on or with that material even though that was not the object of the process.

(1B) Fuel falls within this paragraph if—

- (a) at least 90 per cent of its energy content is derived from material which is, or is derived directly or indirectly from, plant matter, animal matter, fungi or algae;
- (b) it is waste; and
- (c) any fossil fuel forming part of it was not added to it with a view to the fossil fuel being used as a fuel.”.