
DRAFT STATUTORY INSTRUMENTS

2014 No.

**The Domestic Renewable Heat
Incentive Scheme Regulations 2014**

PART 8

Changes affecting accredited domestic plants

Review of accreditation following notification of a change in circumstances

45.—(1) This regulation applies where the Authority receives a notification under regulation 40 and regulations 47 and 48 do not apply.

(2) Where this regulation applies, subject to regulation 46(2)(b), no RHI payment may be made for the accredited domestic plant until the requirements set out in paragraph (4) are met.

(3) On receipt of the notification, the Authority may—

- (a) require the participant to provide such of the information specified in Schedule 4 and any declarations the Authority considers necessary for the proper administration of the domestic RHI scheme; and
- (b) review the accreditation of the accredited domestic plant to ensure that it continues to meet the eligibility criteria.

(4) The requirements referred to in paragraph (2) are that the Authority has notified the participant that—

- (a) it is satisfied that the matters to which the notification relates are such that it is unnecessary to review the accreditation of the plant; or
- (b) it has carried out a review and is satisfied that the plant may continue to be an accredited domestic plant.

(5) Following a notification under paragraph (4) the Authority must resume payment of RHI payments in accordance with these Regulations.

Changes affecting whether accredited domestic plants must be metered

46.—(1) This regulation applies where—

- (a) a metering statement has not been provided for an accredited domestic plant;
- (b) the Authority has reviewed the accreditation of an accredited domestic plant under regulation 45 or has carried out an investigation under Part 10; and
- (c) the Authority considers that, were an accreditation application made in respect of the accredited domestic plant on the date on which the Authority concluded its review or investigation, regulation 13 would require the heat generated by the plant to be metered.

(2) Where this regulation applies—

- (a) the heat generated by the plant must be metered; and

- (b) no RHI payment may be made for the accredited domestic plant until the Authority has provided the participant with a metering statement under paragraph (5).
- (3) The Authority may require the participant to provide a statement from a certified installer who was responsible for, or checked, the installation of any meters installed in respect of the plant—
 - (a) confirming that each eligible meter is installed in accordance with the metering requirements; and
 - (b) stating whether the eligible meters are installed in accordance with paragraph (2), (3) or (4) of regulation 15, or paragraph (2), (3), (4) or (5) of regulation 16.
- (4) If eligible meters are positioned in accordance with paragraph (3) or (4) of regulation 15 or paragraph (3), (4) or (5) of regulation 16, the participant must make an authorisation application.
- (5) The Authority must provide the participant with a metering statement if it—
 - (a) is satisfied that the requirements in regulation 14 are met; and
 - (b) has given authorisation, if applicable.
- (6) RHI payments for the accredited domestic plant are calculated in accordance with—
 - (a) regulation 27 for the period commencing on the tariff start date and ending on the date on which the Authority received the notification under regulation 40 or commenced its investigation under Part 10;
 - (b) regulation 28 for the period commencing on the date on which the Authority provides the participant with a metering statement and ending on the tariff end date.
- (7) No RHI payments are payable for the period commencing on the day after the date on which the Authority received the notification under regulation 40 which led to the review under that regulation, or commenced its investigation under Part 10, and ending on the day before the date on which the Authority provides the participant with a metering statement.

Replacement plants

- 47.** Where a replacement plant is installed—
- (a) an accreditation application for that plant may be made by the owner of the replacement plant if that person is a participant in relation to the original plant; and
 - (b) no RHI payments are payable for the period commencing on the date on which the original plant ceased to provide heat to the property and ending on the day before the date on which the Authority received the accreditation application for the replacement plant.

Changes in ownership of accredited domestic plants

- 48.**—(1) This regulation applies where a participant transfers ownership of all or part of an accredited domestic plant to another person (“the new owner”).
- (2) Once the Authority becomes aware of the transfer of ownership, no RHI payment may be made until—
- (a) the new owner has notified the Authority of the change in ownership and has confirmed, if the plant is owned by more than one person, that they have the authority from all owners to be the new participant; and
 - (b) the Authority has taken the steps set out in paragraph (5).
- (3) On receipt of a notification under paragraph (2), the Authority may—
- (a) require the new owner to provide such of the information specified in Schedule 4 and any declarations as the Authority considers necessary for the proper administration of the domestic RHI scheme; and

(b) review the accreditation of the accredited domestic plant to ensure that it continues to meet the eligibility criteria.

(4) In carrying out the review referred to in paragraph (3)(b) the Authority may, in order to satisfy itself that the accredited domestic plant continues to meet the eligibility criteria, take any of the steps set out in regulation 18.

(5) Where the Authority is satisfied that the accredited domestic plant continues to meet the eligibility criteria or has decided not to carry out a review it must—

(a) update the central register; and

(b) send the new owner a statement of eligibility setting out the information specified in regulation 21(1)(e).

(6) If the Authority becomes aware of the transfer of ownership and, within a period of 12 months from the transfer of ownership of the accredited domestic plant taking effect,—

(a) no notification is made by the new owner in accordance with paragraph (2)(a); or

(b) any information required under paragraph (3)(a) is not provided to the Authority,

the plant shall on the expiry of that period cease to be an accredited domestic plant and accordingly no further RHI payments are to be paid for the plant.

(7) The period specified in paragraph (6) may be extended by the Authority where the Authority considers it is just and equitable to do so.

(8) Subject to paragraph (9) and Part 10, RHI payments are calculated from the date of completion of the steps set out in paragraph (5) for the remainder of the tariff lifetime of that accredited domestic plant.

(9) Where—

(a) a transfer of ownership of all or part of an accredited domestic plant takes place; and

(b) that accredited domestic plant is then owned by more than one person,

the Authority may require any person claiming to have the authority from all owners to be the new participant to provide to the Authority, in such manner and form as the Authority may request, evidence of this authority.