



Northern Ireland (Regional Rates and Energy) Act 2018

2018 CHAPTER 6

N.I.

An Act to make provision about the regional rate in Northern Ireland for the year ending 31 March 2019; and amend the Renewable Heat Incentive Scheme Regulations (Northern Ireland) 2012. [28th March 2018]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Regional rates **N.I.**

- (1) This section applies in respect of the year ending 31 March 2019.
- (2) The regional rate to be levied on the rateable net annual values of hereditaments is to be 33.41 pence in the pound.
- (3) The regional rate to be levied on the rateable capital values of hereditaments is to be 0.4365 pence in the pound.
- (4) A rate specified in subsection (2) or (3) may be varied by an order made by the Department under Article 7(1) of the Rates Order.
- (5) An order made by virtue of subsection (4)—
 - (a) may be made only after the first occasion on which all the Ministerial offices are filled after the passing of this Act, but
 - (b) may set the rate in respect of the whole of the year for which it is made.
- (6) In this section—

“the Ministerial offices” means—

 - (a) the offices of First Minister and deputy First Minister, and

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(b) the Ministerial offices to be held by Northern Ireland Ministers (within the meaning of the Northern Ireland Act 1998);

“the Rates Order” means the Rates (Northern Ireland) Order 1977 (S.I. 1977/2157 (N.I. 28));

and any expression used in this section and in the Rates Order has the meaning given by that Order.

2 Renewable heat incentive scheme **N.I.**

(1) Regulation 36 of the Renewable Heat Incentive Scheme Regulations (Northern Ireland) 2012 (S.R. (NI) 2012 No. 396) (payment of periodic support payments to participants) is amended in accordance with subsections (2) to (10).

(2) In paragraph (3) for the words from the beginning to “accredited RHI installation” substitute “ Subject to regulation 42(5) and paragraphs (7) to (7B) the tariff for an accredited RHI installation ”.

(3) After paragraph (4) insert—

“(5) Subject to paragraphs (6) to (7B), the tariff for an accredited RHI installation is the tariff set out in Schedule 3, 3A or 4 as the case may be in relation to its source of energy or technology and installation capacity.”

(4) In paragraph (6) for the words from the beginning to “the accredited RHI installation” substitute “ For the purposes of paragraphs (5) and (7) to (7B), where the accredited RHI installation ”.

(5) In paragraph (7) after “2015” insert “, other than installations to which paragraph (7B) applies ”.

(6) After paragraph (7A) insert—

“(7B) The tariffs for installations accredited before 18th November 2015 and falling within the small or medium biomass tariffs set out in Schedule 3A, for the period beginning with the coming into operation of section 2 of the Northern Ireland (Regional Rates and Energy) Act 2018 and ending with 31st March 2019, are the tariffs set out in Schedule 3A adjusted by the percentage increase or decrease in the retail prices index for the calendar year 2017 (the resulting figure being rounded to the tenth of a penny, with any twentieth of a penny being rounded upwards).”

(7) In paragraph (8) for the words from “accordance” to “publish” substitute “ accordance with paragraphs (7) to (7B) and publish ”.

(8) After paragraph (9) insert—

“(9A) Where an accredited RHI installation falls within the small or medium biomass tariffs set out in Schedule 3A—

(a) the tariff for the initial heat generated by the installation in any 12 month period commencing with, or with the anniversary of, the date of accreditation (regardless of whether that date falls before or after the coming into operation of section 2 of the Northern Ireland (Regional Rates and Energy) Act 2018) is the relevant Tier 1 tariff specified in Schedule 3A;

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- (b) the tariff for further heat generated in that same 12 month period up to a maximum of 400,000 kWh is the relevant Tier 2 tariff specified in Schedule 3A; and
 - (c) any further heat generated in that same 12 month period shall not be eligible for periodic payments.”
- (9) In paragraph (10) for the words from the beginning to “means” substitute “ For the purposes of paragraphs (9) and (9A), “the initial heat” means ”.
- (10) After paragraph (10) insert—
 - “(11) Despite regulation 1(3) of the Renewable Heat Incentive Scheme (Amendment) Regulations (Northern Ireland) 2017 (S.R. (NI) 2017 No.32) (which provides for those Regulations to cease to have effect on 31 March 2018), paragraphs (3) to (10) and Schedule 3A continue to have effect as amended by those Regulations in relation to heat generated before 1 April 2018.”
- (11) In Schedule 3 to those Regulations, in the heading, omit “on or”.
- (12) After Schedule 3 to those Regulations insert the Schedule set out in the Schedule to this Act.
- (13) In Schedule 4 to those Regulations, in the heading, after “Accredited” insert “ on or ”.
- (14) Nothing in this section, except subsection (10), and nothing in the Schedule has effect in relation to periodic support payments for heat generated before this section comes into force.
- (15) Nothing in this section or the Schedule affects the power to make regulations under section 113 of the Energy Act 2011 amending or revoking any provision amended or inserted by this section.
- (16) In subsection (14) “periodic support payments” has the same meaning as in the Renewable Heat Incentive Regulations (Northern Ireland) 2012 (S.R. (NI) 2012 No. 396).

3 Extent, commencement and short title **N.I.**

- (1) This Act extends to Northern Ireland only.
- (2) Section 1 and this section come into force on the day on which this Act is passed.
- (3) Section 2 and the Schedule come into force on 1 April 2018.
- (4) This Act may be cited as the Northern Ireland (Regional Rates and Energy) Act 2018.

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SCHEDULE **N.I.**

Section 2

RENEWABLE HEAT INCENTIVE SCHEME

This is the Schedule to be inserted after Schedule 3 to the Renewable Heat Incentive Scheme Regulations (Northern Ireland) 2012 (S.R. (NI) 2012 No. 396)—

“SCHEDULE 3A **N.I.**

Regulation 36

TEMPORARY BIOMASS TARIFFS FOR INSTALLATIONS
 ACCREDITED BEFORE 18 NOVEMBER 2015

Table 1

TARIFFS FOR SMALL OR MEDIUM BIOMASS INSTALLATIONS

<i>Tariff name</i>	<i>Sources of energy or Technology</i>	<i>Installation capacity</i>	<i>Tariff Pence/kWh</i>
Small Biomass	Solid biomass including solid biomass contained in municipal solid waste	Less than 20kWth	Tier 1: 7.0 Tier 2: 1.5
Medium Biomass	As above	20kWth and above up to but not including 100kWth	Tier 1: 6.7 Tier 2: 1.5”

Changes to legislation:

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