
STATUTORY INSTRUMENTS

2012 No. 2782

The Feed-in Tariffs Order 2012

PART 3

Accreditation and matters relating to accreditation

CHAPTER 1

Accreditation

Exceptions to accreditation applicable to all eligible installations

7.—(1) The Authority must not accredit an eligible installation as an accredited FIT installation where—

- (a) the installation has a total installed capacity which exceeds the specified maximum capacity;
- (b) the installation is an extension to—
 - (i) an accredited FIT installation; or
 - (ii) another installation using an eligible low-carbon energy source, and the aggregate total installed capacity of the extension and the installation referred to in paragraph (i) or (ii) exceeds the specified maximum capacity; or
- (c) electricity from the installation is or has been sold pursuant to a NFFO arrangement.

(2) The Authority must not accredit an eligible installation as an accredited FIT installation where it has good reason to believe that any generating equipment used at the installation has formed part of an installation previously accredited—

- (a) under the ROO; or
- (b) under this Part.

(3) Subject to paragraph (4) and to article 40(3), the Authority must not accredit an eligible installation as an accredited FIT installation unless the FIT generator has given notice to the Authority that—

- (a) no grant from public funds has been made in respect of any of the costs of purchasing or installing the installation; or
- (b) where any such grant has been made, the grant has been repaid to the person or authority which made it.

(4) Paragraph (3) does not prohibit the Authority from accrediting an eligible installation where a grant referred to in paragraph (3) has been made and not repaid if the grant is a permitted grant.

(5) In this article—

“NFFO arrangement” has the meaning given to it in the ROO; and

“permitted grant” means a grant made in respect of the reasonable additional costs of an installation to avoid or mitigate environmental harm, where the amount of the grant does not exceed the amount of those costs.