
STATUTORY INSTRUMENTS

2019 No. 1005

The Smart Export Guarantee Order 2019

PART 3

Functions of the Authority

Functions of the Authority in relation to AD installations

4.—(1) This article applies where the Authority receives confirmation from a SEG generator who intends to seek SEG payments in respect of an AD installation that the SEG generator intends to comply with the provisions of the Schedule.

(2) The Authority must—

- (a) verify whether the SEG generator meets the criteria set out in the Schedule; and
- (b) notify the SEG generator of whether those criteria were met or not.

(3) The Authority must verify that the SEG generator has continued to meet the criteria in accordance with paragraph (2)(a) on a quarterly basis in relation to the sustainability criteria, and on an annual basis in relation to the feedstock criteria, and notify the SEG generator of the result of that verification as soon as practicable after its conclusion.

(4) Where the Authority cannot be satisfied on the basis of information provided by the SEG generator, including an audit report provided under paragraph 5 of the Schedule, that the SEG generator has met the criteria set out in that Schedule, the Authority must inform the SEG generator that it is not able to verify that the criteria have been met.

(5) Where paragraph (4) applies, the SEG generator may, on the Authority's request or otherwise, provide further information, including a further audit report complying with paragraph 5 of the Schedule, to the Authority, and, on receipt of such further information, the Authority must consider whether it is able to ascertain whether the criteria set out in the Schedule are met or not.

Guidance

5.—(1) The Authority must publish, before 1st January 2020, guidance to SEG generators and SEG licensees on the operation of the SEG.

(2) The Authority must keep the guidance published under this article under review, and, if it thinks it appropriate to do so, publish updated guidance.

List of SEG Licensees

6. Before the start of each SEG year (except the first SEG year), the Authority must publish a list of all SEG licensees, and that list must distinguish between mandatory SEG licensees and voluntary SEG licensees.

Report

7.—(1) The Authority must at least once in each calendar year, beginning with 2021, prepare and publish a report, which must set out—

- (a) the export tariffs that have been offered by SEG licensees;
- (b) the number of eligible installations which are in receipt of SEG payments;
- (c) how much generation has been the subject of SEG payments;
- (d) the total amount of SEG payments which have been made; and
- (e) a breakdown of SEG payments by—
 - (i) capacity; and
 - (ii) the energy source generating the electricity.

(2) The Authority must also set out in the report the period which that report covers.

Information

8. The Authority may require a SEG licensee to provide it with any information which it believes the licensee holds and which, in the Authority's opinion, it requires in order to enable it to discharge its functions under this Order.