
EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Renewables Obligation (Northern Ireland) Order 2009 (“the 2009 Order”). Most of the amendments relate to the use of biomass to generate electricity.

Article 2 inserts new definitions in Article 2 of the 2009 Order, and amends or substitutes existing definitions.

Article 3 amends Article 4 of the 2009 Order to add fuel derived from bacteria to the fuels which constitute biomass for the purposes of that Order.

Article 4 inserts Article 21ZA into the 2009 Order. The effect of the insertion is to widen the circumstances in which NIROCs must not be issued in respect of electricity generated from solid or gaseous biomass.

Article 5 amends Article 21B of the 2009 Order to take account of the repeal of Council Regulation (EC) No 73/2009 (OJ L 030, 31.1.2009, p.16) by Regulation (EU) No 1307/2013 (OJ L 347, 20.12.2013, p.608). References to the first mentioned instrument are replaced with references to Regulation (EU) No 1306/2013.

Article 6 amends Article 22 of the 2009 Order with regard to the circumstances in which NIROCs are to be issued in respect of electricity generated from biomass.

Article 7 substitutes Article 46 of the 2009 Order and makes changes with regard to the information which has to be provided to the Gas and Electricity Markets Authority where electricity is generated from biomass.

Article 8 amends Article 46B of the 2009 Order so that it no longer refers to biomass which is wholly derived from waste.

Article 9 inserts Schedule A1A into the 2009 Order. Schedule A1A contains provision on greenhouse gas emission criteria for solid and gaseous biomass.

Article 10 substitutes Schedule A2 to the 2009 Order. Schedule A2 contains provision on land criteria.

Article 11 omits Schedules 3A and 3B of the 2009 Order.

Articles 12 and 13 contain savings and transitional provision.

An explanatory memorandum is available alongside this Order on www.legislation.gov.uk.