
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2007 No.

The Renewables Obligation (Scotland) Order 2007

PART 5

SROCs: Issue and Revocation

Obligation to issue SROCs

16.—(1) Where each of the relevant criteria in article 18 has been met (having regard as necessary to the requirements in articles 19 and 20), the Authority shall issue SROCs, in accordance with the procedure set out in article 22, in relation to a generating station in respect of each month of each obligation period in which electricity has been generated by the generating station from eligible renewable sources (whether or not for the whole of that month).

(2) Except as provided for in paragraphs (3) to (5) and article 17, SROCs shall be issued to the operator of the generating station by which the relevant electricity was generated in a particular month.

(3) Where electricity is required to be generated by a generating station from eligible renewable sources under a qualifying arrangement or in compliance with such an arrangement to be made available to the nominated person (“the relevant output”), SROCs shall be issued as set out below.

(4) Where the nominated person is entitled to the relevant output under or in compliance with a qualifying arrangement, SROCs shall be issued to electricity suppliers notified to the Authority by the nominated person as being purchasers of the relevant output and to each in such quantities as are appropriate to the amount of the relevant output which the nominated person notifies the Authority each has purchased (subject to the total amount of SROCs available to be so issued).

(5) Where one or more electricity suppliers are entitled to the relevant output under a qualifying arrangement, SROCs shall be issued to those electricity suppliers, each in proportion to its entitlement.

Issue of SROCs to agents

17.—(1) Subject to article 16(3) and (5), an operator of a generating station with a declared net capacity of 50 kilowatts or less may appoint an agent to receive any SROC which relates, in whole or in part, to electricity generated by that generating station (“a relevant SROC”).

(2) Where the operator appoints an agent under paragraph (1), the operator shall notify the Authority in writing of the agent’s name and address.

(3) Once the Authority has received such a notification, it shall issue any relevant SROC to that agent.

(4) Where the operator or agent wishes to terminate the agent’s appointment, the operator or, as the case may be, the agent must give written notice of the intended termination to the Authority.

(5) Where notice is given under paragraph (4) and received by the Authority, the termination shall take effect (subject to paragraph (6)) at the end of the obligation period during which it is given;

until the end of that obligation period, the Authority shall continue to issue any relevant SROCs to the agent.

(6) Notwithstanding paragraph (5), after the expiration of that obligation period the Authority shall continue to issue relevant SROCs to the agent where those SROCs relate to electricity generated during that obligation period.

(7) Paragraphs (5) and (6) do not apply in any case where the Authority is satisfied, in the light of evidence produced to it, that owing to exceptional circumstances the termination should take effect on a date before the end of the obligation period during which the notice is given; in which case the termination shall take effect on that date.

(8) Where any provision of this Order requires or permits something to be done by, to or in respect of an agent appointed under this article and the agent's appointment is terminated before that thing is done, references to that agent (however framed) are to be construed—

- (a) where a successor to the agent has been appointed under this article, as references to that successor;
- (b) in any other case, to the operator of the generating station for whom the agent acted before the agent's appointment was terminated.

Criteria for issue of SROCs

18.—(1) The criteria for issue of SROCs referred to in article 16 and issue of replacement SROCs referred to in article 24(4) are those detailed in paragraphs (2) to (13).

(2) The first criterion is that the Authority has previously confirmed in writing to the operator of any generating station to which the SROC relates (or, where the SROC is to be issued to an agent by virtue of article 17, that agent) that the generating station has been granted accreditation as a generating station capable of generating electricity from eligible renewable sources and the Authority has not since withdrawn that accreditation.

(3) The second criterion is that the Authority has been provided in writing with all the information listed in paragraphs 2(b)(i) to (iii) of Schedule 2 together with any other information which it reasonably requires in order to assess whether the SROC should be issued and it is satisfied that such information is accurate and reliable.

(4) The third criterion is that, in the case of a SROC certifying the matters within section 32B(2), (2ZA), (2A) or (2AA), the operator of the generating station to which the SROC relates has provided the Authority with a declaration (which the Authority shall be entitled to accept as sufficient evidence of its contents and which the operator need only provide once during every obligation period) applicable to the relevant electricity that—

- (a) the operator has not made (or, where the declaration relates to electricity that the operator proposes to generate after the declaration is made, that the operator will not make) the electricity available to any person in circumstances such that the operator knows or has reason to believe that the consumption of the electricity has resulted (or, as the case may be, will result) in it not having been supplied, in the case of a SROC certifying the matters within section 32B(2) or (2ZA), by an electricity supplier to customers in Great Britain (or, in the case of a SROC certifying the matters within section 32B(2A) or (2AA) of the Act, by a Northern Ireland supplier to customers in Northern Ireland); and
- (b) the operator is not (and does not intend during the obligation period to become) a person mentioned in article 7(2)(b) or (4)(b).

(5) The fourth criterion is that, where the electricity has been generated on land in Northern Ireland and supplied to customers in Great Britain, the operator of any generating station to which the SROC relates has provided the Authority with evidence of the following matters—

- (a) the quantity, date and period of time (referred to in this paragraph as “the relevant period”) during the particular month when the electricity from eligible renewable sources was generated by the generating station;
- (b) that such electricity was delivered by means of a transmission and distribution network in Northern Ireland from the generating station to an interconnector between Great Britain and Northern Ireland during each relevant period;
- (c) that such electricity flowed across such interconnector to Great Britain during each relevant period;
- (d) that no electricity flowed, or was claimed by a user of the interconnector or the interconnector operator to have flowed, across such interconnector in the opposite direction during each relevant period; and
- (e) that such interconnector was capable of conveying such quantity of electricity (together with any other electricity which was contracted to be conveyed) during each relevant period;

and the Authority is satisfied with such evidence.

(6) The fifth criterion is that, where the electricity was not generated on land in Great Britain or in Northern Ireland and was supplied to customers in Great Britain, the operator of any generating station to which the SROC relates has provided the Authority with evidence of the following matters—

- (a) that at the time the generating station generated the electricity it was connected directly to a transmission and distribution network in Great Britain and electricity generated by that generating station could not have been conveyed to Great Britain via an interconnector; or
- (b) that at the time the generating station generated the electricity it was connected directly to a transmission and distribution network in Northern Ireland that it was not connected directly to any other transmission and distribution network and of those matters listed in paragraph (5)(a) to (e);

and the Authority is satisfied with such evidence.

(7) The sixth criterion is that, in the case of a SROC certifying the matters within section 32B(2A) or (2AA) of the Act and which relates to electricity which was generated by a generating station which, at the time the electricity was generated, was not directly and exclusively connected to a transmission or distribution network in Northern Ireland, the operator of the generating station has provided the Authority with evidence of the following matters—

- (a) the quantity, date and period of time (referred to in this paragraph as “the relevant period”) during the particular month when the electricity from eligible renewable sources was generated by the generating station;
- (b) that such electricity was delivered by means of a transmission and distribution network in Great Britain from the generating station to an interconnector between Great Britain and Northern Ireland during each relevant period;
- (c) that such electricity flowed across such interconnector to Northern Ireland during each relevant period;
- (d) that no electricity flowed, or was claimed by a user of the interconnector or the interconnector operator to have flowed, across such interconnector in the opposite direction during each relevant period;
- (e) that such interconnector was capable of conveying such quantity of electricity (together with any other electricity which was contracted to be conveyed) during each relevant period,

and the Authority is satisfied with such evidence.

(8) The seventh criterion is that, in the case of a SROC certifying the matters within section 32B(2A) or (2AA) of the Act which relates to electricity which was generated by a generating station which, at the time the electricity was generated, was directly and exclusively connected to a transmission or distribution network in Northern Ireland, the operator of the generating station has provided the Authority with evidence of the quantity, date and period of time during the particular month when the electricity from eligible renewable sources was generated by the generating station, and the Authority is satisfied with such evidence.

(9) The eighth criterion is that, in the case of a SROC certifying the matters within section 32B(2ZA), (2AA) or (2AC) of the Act—

- (a) each of the generating stations in relation to which the SROC is to be issued—
 - (i) has a declared net capacity of 50 kilowatts or less;
 - (ii) is accredited as a generating station capable of generating electricity from the same eligible renewable source; and
 - (iii) is located in Scotland;
- (b) the SROC is to be issued to an agent by virtue of article 17; and
- (c) the operators of the generating stations in relation to which the SROC is to be issued have each appointed the same person to act as agent to receive the SROC;

(10) The ninth criterion is that, in the case of a SROC certifying the matters within section 32B(2AB) or (2AC) of the Act, the operator of the generating station in relation to which the SROC is to be issued has provided the Authority with a declaration (which the Authority shall be entitled to accept as sufficient evidence of its contents, and which the operator or, as the case may be, agent need only provide once during every obligation period) that the electricity has been used in a permitted way.

(11) The tenth criterion is that the electricity in respect of which the SROC is to be issued is not or does not include electricity in respect of which a SROC has already been issued and not revoked.

(12) The eleventh criterion is that the electricity in respect of which the SROC is to be issued has been measured accurately using a meter which if used for ascertaining the quantity of electricity supplied by an authorised supplier to a customer would be approved for the purposes of paragraph 2 of Schedule 7 to the Act.

(13) The twelfth criterion is that the Authority is not prohibited from issuing a SROC on any of the grounds set out in article 19(2) and has not refused to issue a SROC on any of the grounds set out in article 19(3).

Criteria for issue of SROCs: supplemental

19.—(1) Where a SROC, if issued, will be issued to an electricity supplier pursuant to article 16(4) or (5), the references in article 18(4) to the operator of any generating station to which the SROC relates shall be treated as references to that electricity supplier but article 18(4)(b) shall not apply.

- (2) The Authority shall not issue a SROC—
 - (a) in respect of any electricity generated by a particular generating station in a particular month if it has previously issued a certificate under section 32B of the Act in respect of any such electricity other than under this Order, whether or not any such certificate previously issued has been revoked; or
 - (b) certifying the matters within section 32B(2A) or (2AA) of the Act, where the Northern Ireland Authority has notified the Authority that it is not satisfied that all or part of the electricity in question has been supplied to customers in Northern Ireland.
- (3) The Authority may refuse to issue a SROC in any case where the Authority—

- (a) except in the case of a SROC certifying matters within section 32B(2A) or (2AA) of the Act, considers that the declaration in article 18(4) is not accurate in relation to all or part of the electricity in respect of which the Authority is considering issuing the SROC;
 - (b) except in the case of a SROC certifying the matters within section 32B(2A), (2AA), (2AB) or (2AC) of the Act, has reason to believe that the electricity in respect of which the Authority is considering issuing the SROC was consumed in circumstances which resulted in all or part of the electricity not having been supplied by an electricity supplier to customers in Great Britain; or
 - (c) is not satisfied that the operator of any generating station to which the SROC relates has, during the relevant month, complied with any condition to which accreditation of the relevant generating station is subject.
- (4) For the purpose of article 18(3), where information regarding the fuel used by any generating station to which the SROC relates has originated at a separate location to that of the generating station, in determining whether the information is accurate and reliable the Authority may have regard to—
- (a) the distance over which the fuel was transported;
 - (b) the conditions under which the fuel was prepared and transported;
 - (c) the resources required for the Authority to verify the accuracy and reliability of the information; and
 - (d) such other matters as it considers relevant.

Criteria for issue of SROCs to agents: supplemental

20.—(1) Where a SROC is to be issued to an agent by virtue of article 17, the following provisions of this article shall apply.

- (2) Subject to paragraph (3), in articles 18(4) to (8) and (10) and 22(3)(b) and (4)—
 - (a) references to the operator of the generating station shall be treated as references to the agent who acts in relation to that generating station; and
 - (b) any obligation imposed on the operator in relation to that generating station shall be treated as imposed on the agent instead.
- (3) Paragraph (2) shall not apply to sub-paragraphs (a) and (b) of article 18(4).
- (4) Where the SROC relates to more than one generating station—
 - (a) in article 18(2) the written confirmation referred to shall be required in relation to each of the generating stations to which the SROC relates;
 - (b) in article 18(4) and (10) the declaration referred to shall be required in relation to the electricity generated by each of the generating stations to which the SROC relates;
 - (c) in article 18(4)(a) and (b) references to the operator shall be treated as references to the operator of each of the generating stations to which the SROC relates;
 - (d) in article 18(7) the evidence referred to shall be required in respect of each generating station—
 - (i) which, at the time the electricity was generated, was not directly and exclusively connected to a transmission or distribution network in Northern Ireland; and
 - (ii) to which the SROC relates; and
 - (e) in article 18(8) the evidence referred to shall be required in respect of each generating station—

- (i) which, at the time the electricity was generated, was directly and exclusively connected to a transmission or distribution network in Northern Ireland; and
- (ii) to which the SROC relates.

Issuing SROCs certifying the matters in section 32B(2ZA), (2AA) or (2AC) of the Act: supplemental

21.—(1) Where two or more generating stations constitute a group for the purposes of this article, the Authority shall be entitled to issue a SROC in respect of electricity generated by those generating stations if, and only if—

- (a) the amount of electricity generated by each of them (calculated in accordance with article 22(2)(a) and (b)) is added together and rounded (in accordance with article 22(2)(c));
- (b) that rounded amount is stated in the SROC; and
- (c) the SROC certifies the matters within section 32B(2ZA), (2AA) or (2AC) of the Act.

(2) Where an agent appointed under article 17 acts for two or more generating stations which constitute a group for the purposes of this article, the agent shall provide the Authority with—

- (a) a figure representing the amount of electricity which the agent believes should be stated in any SROC to be issued in respect of that group; and
- (b) the data which led the agent to arrive at that figure.

(3) Two or more generating stations constitute a group for the purposes of this article where—

- (a) they have been accredited as generating stations capable of generating electricity from the same eligible renewable source;
- (b) in respect of each of them the same person has been appointed to act as agent under article 17; and
- (c) in respect of electricity generated by them, entitlement to SROCs is determined in the same way (either on a monthly basis or on an annual basis, depending on whether a notice has been given to the Authority under article 25(2) or not).

Procedure and calculations for issue of SROCs

22.—(1) The Authority shall, when issuing SROCs (other than replacement SROCs certifying the matters within section 32B(2), (2A) or (2AB) of the Act, which shall be issued in accordance with article 24(4)(b) and (6))—

- (a) allocate a number (“the SROC sequence number”) to each SROC issued;
- (b) allocate SROC sequence numbers sequentially in ascending numerical order—
 - (i) where the SROCs are to be issued in respect of electricity generated from eligible renewable sources by two or more generating stations which constitute a group for the purposes of article 21, to all the SROCs issued in respect of that group in a particular month; and
 - (ii) in all other cases, to all the SROCs issued in respect of electricity generated from eligible renewable sources by a particular generating station in a particular month; and
- (c) in the case of a generating station which in a particular month generates electricity from eligible renewable sources under or in compliance with a qualifying arrangement, issue SROCs in respect of that month—
 - (i) firstly to the electricity suppliers to whom article 16(4) or (5) applies in that month on the basis of information provided to it by the nominated person; and

- (ii) thereafter, in the event that the generating station generates any electricity from eligible renewable sources in that month other than under a qualifying arrangement or which in that month is not required in compliance with such an arrangement to be made available to the nominated person, to the operator of that generating station.
- (2) Where it issues SROCs pursuant to this Part the Authority shall—
 - (a) determine the amount of electricity which is to be regarded as having been generated from eligible renewable sources by a generating station in a particular month (“the relevant month”) pursuant to article 10;
 - (b) deduct from the amount determined in accordance with sub paragraph (a) any electricity in respect of which in the relevant month any of the relevant criteria in article 18(1) were not satisfied;
 - (ii) in all other cases, determine the amount of electricity which results from the calculations in sub paragraphs (a) and (b) and round the amount so determined to the nearest megawatt hour (with any exact half megawatt hour being rounded upwards);
 - (d) determine the number of SROCs which it is appropriate to issue for the amount of electricity determined pursuant to sub-paragraph (c) on the basis that one SROC represents one megawatt hour of electricity; and
 - (e) issue the appropriate number of SROCs determined pursuant to sub-paragraph (d) to whomever it is required to issue them by virtue of article 16 or 17.
- (3) Subject to paragraphs (4), (5) and (6), for the purpose of making the determination in paragraph (2)(a) the Authority shall use in the case of the amounts for “gross output” and “input electricity” (as those two expressions are defined in article 10(7)) either—
 - (a) the most accurate figures for those amounts which are provided to the Authority at the end of the second month following the end of the relevant month (“the relevant date”); or
 - (b) where the operator of the generating station satisfies the Authority by the relevant date that it will never be possible for it to provide accurate figures, such figures as are estimated by the operator or, as the case may be, agent by the relevant date on a basis agreed in advance by the Authority.
- (4) Where figures are neither provided under paragraph (3)(a) nor estimated under paragraph (3)(b) the Authority may, in circumstances which it considers exceptional, accept figures which the operator of the generating station provides after the relevant date.
- (5) Where figures are provided under paragraph (3)(a) or accepted under paragraph (4) and, before the Authority makes a determination under paragraph (2)(a), the Authority becomes aware of figures which it considers to be more accurate, the Authority may, where it considers appropriate, accept the later figures and make determinations under paragraph (2)(a) to (d) on the basis of the later figures.
- (6) Where the Authority makes a determination under paragraph (2)(a) on the basis of figures provided under paragraph (3)(a) or accepted under paragraph (4) or (5) and the Authority subsequently becomes aware of figures which it considers to be more accurate, the Authority—
 - (a) may, where it considers appropriate, accept the later figures and make new determinations under paragraphs (2)(a) to (d); and
 - (b) shall, where the new determination under paragraph (2)(d) differs from the original determination under that provision, either—
 - (i) if it has not already issued SROCs under paragraph (2)(e), issue SROCs under that paragraph in accordance with the new determination;
 - (ii) revoke SROCs in accordance with article 22 where it has issued too many; or

(iii) issue additional SROCs in accordance with paragraph (2)(e) where it has issued too few.

(7) SROCs in respect of the relevant month shall be issued no earlier than the relevant date.

SROC Register

23.—(1) The Authority shall establish and maintain a register of SROCs (“the Register”) which shall be conclusive as to whether or not a SROC subsists and as to the person who is for the time being its registered holder.

(2) Schedule 2 shall have effect with respect to the Register.

(3) A SROC comprises a Register entry of its particulars and shall be regarded as being issued at the point when those particulars are entered in the Register by the Authority.

(4) In accordance with the provisions of Schedule 2, the Authority shall ensure that the Register contains, by way of entries made in it—

- (a) an accurate record of the particulars of each SROC as issued by the Authority (amended to reflect any change of registered holder which may occur) and which remains eligible to be produced as evidence pursuant to article 3, 13 or 14; and
- (b) in addition to the record of the particulars of each SROC, a list of the names of all persons who are either the registered holder of a SROC or, although not at that time the registered holder of a SROC, have notified the Authority that they wish an entry to be made and maintained in respect of them as prospective registered holders of SROCs.

(5) Only the registered holder of a SROC may use it as the evidence or as part of the evidence required from the registered holder under article 3(1) and a SROC may not be used by its registered holder or by any other person as the evidence or as part of the evidence required under article 3(1) from any person other than the registered holder.

Revocation of SROCs

24.—(1) The Authority—

- (a) shall, where in respect of any electricity generated by a generating station in a particular month it is satisfied that the declaration provided to it in relation to that generating station pursuant to article 18(4) is false or that a SROC was issued on the basis of any fraudulent behaviour, statement or undertaking on the part of the operator of that generating station or by any connected person, or, where SROCs are issued to an agent by virtue of article 17, that agent, revoke all SROCs issued in respect of that generating station in that month;
- (b) shall revoke any SROC certifying matters within section 32B(2A) or (2AA) of the Act where the Northern Ireland Authority has notified the Authority that it is not satisfied that all of the electricity in question has been supplied to customers in Northern Ireland;
- (c) shall, in accordance with the procedure laid down in paragraph (3), revoke any SROC where it is otherwise satisfied that the SROC is inaccurate;
- (d) may, in accordance with the procedure laid down in paragraph (3), revoke any SROC where—
 - (i) the Authority is no longer satisfied that the SROC should have been issued;
 - (ii) the Authority has reasonable doubts as to the accuracy or reliability of the information upon which the Authority relied prior to the issue of the SROC; or
 - (iii) the Authority has been unable, due to a failure or refusal by any person (whether inside or outside Scotland) to provide the Authority with any information reasonably

requested by it, to check the accuracy of either the SROC or any information which the Authority relied upon prior to the issue of the SROC; and

- (e) subject to paragraph (2), shall, in reaching a decision as to the inaccuracy of a SROC for the purposes of sub-paragraph (c) and in exercising its powers to revoke a SROC pursuant to sub-paragraph (d), disregard any changes to the amounts for “gross output” and “input electricity” (as those two expressions are defined in article 10(7)) which were used by it (as provided in article 22(3)) to determine the amount of electricity to be regarded as having been generated from eligible renewable sources by a particular generating station in a particular month.

(2) Paragraph (1)(e) does not apply where, in accordance with article 22(6), the Authority has accepted later figures and made new determinations under article 22(2)(a) to (d).

(3) Where the Authority revokes SROCs in accordance with paragraph (1)(c) or (d), it shall—

- (a) revoke the appropriate number of SROCs from those issued in a particular month in descending numerical order of SROC sequence number; and
- (b) delete from the Register those SROCs previously allocated the highest SROC sequence numbers and remaining on the Register in advance of those with lower SROC sequence numbers,

and in determining the number of SROCs which it is appropriate to revoke it shall proceed on the basis that one SROC represents one megawatt hour of electricity (with any exact half megawatt hour being rounded upwards).

(4) Where the Authority has revoked a SROC—

- (a) it shall as soon as practicable give notice in writing of such revocation to the registered holder of the SROC at the time of revocation;
- (b) subject to subparagraph (c), the Authority may, in circumstances where it considers it appropriate to do so, issue a replacement SROC in accordance with the procedures laid down in paragraph (5) or, as the case may be, (6), provided that it is satisfied that each of the relevant criteria in article 18 is met (having regard as necessary to the requirements in article 19 and 20), and such SROC shall be treated as if issued under article 16 or, as the case may be, 17;

(5) Where the revoked SROC was revoked in accordance with paragraph (1)(a), paragraph (4)

(b) shall not apply unless—

- (i) the revoked SROC certified the matters within section 32B(2ZA), (2AA) or (2AC) of the Act; and
- (ii) the reason for its revocation is unrelated to the generating station or stations in respect of which the replacement SROC is to be issued.

(6) Where pursuant to paragraph (4)(b) the Authority issues a replacement SROC certifying the matters within section 32B(2), (2A) or (2AB) of the Act it shall—

- (a) allocate to the replacement SROC the lowest SROC sequence number of any SROC previously issued in respect of the same generating station or stations and same month that has been revoked which has not already been allocated to a replacement SROC (unless that replacement SROC has itself been revoked);
- (b) issue each replacement SROC to the person to whom the SROC issued in respect of that generating station or those generating stations and that month and bearing the same SROC sequence number was previously issued; and
- (c) proceed on the basis that one SROC represents one megawatt hour of electricity (with any exact half megawatt hour being rounded upwards).

(7) Where, pursuant to paragraph (4)(b), the Authority issues a replacement SROC certifying the matters within section 32B(2ZA), (2AA) or (2AC) of the Act it shall do so in accordance with article 22.

Small generators

25.—(1) This article applies to generating stations with a declared net capacity of 50 kilowatts or less (“sub-50 kilowatt stations”).

(2) The operator of a sub-50 kilowatt station (or, where SROCs relating to electricity generated by that generating station are issued to an agent by virtue of article 17, that agent and not the operator) may—

- (a) where SROCs have not yet been issued in respect of any electricity generated during the course of an obligation period by that station, during the course of that obligation period; or
- (b) not less than one month before the beginning of any obligation period (“the relevant obligation period”),

give notice in writing to the Authority that the operator’s entitlement to SROCs in respect of electricity generated by that station (“the relevant station”) shall be determined on the basis set out in the remainder of this article.

(3) Paragraph (4) shall apply—

- (a) where an operator or, as the case may be, agent has given notice as specified in paragraph (2)(a), in the case of the relevant station for the remainder of the obligation period during which the notice was given and subsequent obligation periods; and
- (b) where an operator or, as the case may be, agent has given notice as specified in paragraph (2)(b), in the case of the relevant station for the relevant obligation period and subsequent obligation periods.

(4) Where this sub-paragraph applies, the reference to “month” in each place where it occurs in articles 6 to 10, 15, 16, 18, 19, 22 and 24 and Schedule 2 shall be taken to be a reference to “obligation period”, subject to the following exceptions—

- (a) in article 16(1) the words “of each month” shall be omitted;
- (b) in article 22(3)(a) the reference to “the second month” shall remain unchanged; and
- (c) in paragraph 2(b)(i) of Schedule 2 the words “the month and year” shall be replaced by “the obligation period”.

(5) An operator or, as the case may be, agent who has given notice under paragraph (2) may—

- (a) if that notice was given under sub-paragraph (a), not less than one month before the beginning of any obligation period following the obligation period during which the notice was given; or
- (b) if that notice was given under sub-paragraph (b), not less than one month before the beginning of any obligation period following the relevant obligation period,

by notice in writing to the Authority, withdraw the notice given under paragraph (2).

(6) Where an operator or, as the case may be, agent gives notice under paragraph (5), the Authority shall, from the beginning of the obligation period in respect of which the operator or, as the case may be, agent, gave that notice, determine the operator’s entitlement to SROCs in respect of electricity generated by the relevant station on the basis set out in article 16(1).

(7) Where any SROC to be issued will certify the matters within section 32B(2ZA), (2AA) or (2AC) of the Act, the foregoing provisions of this article shall have effect subject to the following modifications—

- (a) references to the relevant station shall be construed as references to the generating stations to which the SROC relates; and
 - (b) references to the operator of the relevant station shall be construed as references to the operators of those generating stations,
- and cognate expressions shall be construed accordingly.