
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 140

The Renewables Obligation (Scotland) Order 2009

PART 4

Cases and circumstances when a SROC must not be issued

Generating stations first commissioned before 1st January 1990

18.—(1) This article applies to a generating station—

- (a) which was first commissioned before 1st January 1990;
- (b) the main components of which have not been renewed since 31st December 1989; and
- (c) which is not a micro hydro generating station.

(2) No SROCs are to be issued in respect of any electricity generated in any month by a generating station to which this article applies unless all of the electricity generated by that station during that month—

- (a) is generated—
 - (i) partly from fossil fuel; and
 - (ii) partly from renewable sources which consist wholly of—
 - (aa) biomass;
 - (bb) biomass and Solid Recovered Fuel; or
 - (cc) a liquid or gaseous fuel produced by means of gasification, pyrolysis or anaerobic digestion; or
- (b) is generated from biomass and the following conditions are met—
 - (i) where that station generated electricity in any month prior to April 2003, no less than 75 per cent of the energy content of the fuel used to generate that electricity was derived from fossil fuel;
 - (ii) the first month in which all of the electricity generated by that station was generated from biomass occurred after March 2004; and
 - (iii) in relation to electricity generated in any month after that first month by that station, no more than 75 per cent of the energy content of the fuel used to generate that electricity was derived from fossil fuel.

(3) For the purposes of paragraph (1)(b), the main components of a generating station are only to be regarded as having been renewed since 31st December 1989—

- (a) in the case of a hydro generating station, where the following parts have been installed in the generating station after 31st December 1989 and were not used for the purpose of electricity generation prior to their installation—
 - (i) all the turbine runners or all the turbine blades or the propeller; and
 - (ii) all the inlet guide vanes or all the inlet guide nozzles;

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- (b) in the case of any other generating station, where all the boilers and turbines (driven by any means including wind, water, steam or gas) have been installed in the generating station after 31st December 1989 and were not used for the purpose of electricity generation prior to their installation.
- (4) For the purposes of paragraph (2)–
- (a) in sub-paragraph (a)(i), fossil fuel does not include waste which is a renewable source; and
 - (b) in determining whether or not the requirements of sub-paragraph (a) or (b) are met, no account is to be taken of any fossil fuel or waste which the generating station uses for permitted ancillary purposes.

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Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- [art. 12C](#) inserted by [S.S.I. 2024/98 art. 6](#)