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SCOTTISH STATUTORY INSTRUMENTS

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**2009 No. 140**

**The Renewables Obligation (Scotland) Order 2009**

**PART 4**

Cases and circumstances when a SROC must not be issued

**Generating stations in respect of which a NFFO arrangement applied but was terminated**

**20.**—(1) This article applies where—

- (a) a NFFO arrangement (“the applicable NFFO arrangement”) provided for the building of a generating station at a specified location (“the location”);
- (b) the applicable NFFO arrangement was terminated due to the operator of the generating station to which it applied having committed an unremedied breach of it; and
- (c) the last period in the tables contained in Schedule 1 to the Non-Fossil Fuel Order which relates to the applicable NFFO arrangement has not expired.

(2) Subject to paragraph (3), where this article applies no SROCs are to be issued in respect of any electricity generated by a generating station—

- (a) which is situated wholly or partly at the location;
- (b) to which the applicable NFFO arrangement applied at the time it was commissioned; and
- (c) which is owned or operated by a person—
  - (i) who was a party to the applicable NFFO arrangement; or
  - (ii) who is a connected person or a linked person in relation to any such party.

(3) Paragraph (2) does not apply in relation to electricity generated by a generating station in a month in which all of the electricity generated by that station is sold pursuant to another NFFO arrangement.

**Changes to legislation:**

There are currently no known outstanding effects for the The Renewables Obligation (Scotland) Order 2009, Section 20.