

SCOTTISH STATUTORY INSTRUMENTS

**2009 No. 140**

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

**PART 5**

SROCs to be issued by Authority in respect of [<sup>F1</sup>RO eligible] renewable output

**[<sup>F1</sup>RO eligible renewable] output of a qualifying combined heat and power generating station**

**26.**—(1) For the purposes of determining the [<sup>F2</sup>RO eligible] renewable output of a qualifying combined heat and power generating station in any month during which it generates electricity from waste (other than waste which constitutes biomass or is used for permitted ancillary purposes [<sup>F3</sup> or is an advanced fuel] or is in the form of a liquid or gaseous fuel produced by means of <sup>F4</sup>...anaerobic digestion), article 25 applies subject to the following modifications.

(2) For paragraph (2)(a)(ii) of article 25, substitute—

“(ii) D is the energy content of all of the renewable sources used in generating that station's [<sup>F5</sup>RO output electricity] during that month, less the energy content of—

(aa) any fossil fuel from which those renewable sources are in part composed (other than fossil fuel from which a fuel the energy content of which is deducted by virtue of [<sup>F6</sup>sub-paragraph (cc)] is in part composed);

<sup>F7</sup>(bb) . . . . .

(cc) except in the case of an excepted generating station, any of those renewable sources which is a gaseous fuel produced by means of gasification or pyrolysis and which has a gross calorific value when measured at 25 degrees Celsius and 0.1 megapascals at the inlet to the station of less than 2 megajoules per metre cubed,

multiplied by the proportion which the qualifying power output of that station bears to its total power output;”.

<sup>F8</sup>(3) For paragraph (5)(h) and (i) of that article, substitute—

“(h) N is the energy content of the renewable sources used in generating the station's RO output electricity in that way during that month less the energy content of—

(i) any fossil fuel from which those renewable sources are in part composed (other than fossil fuel from which a fuel the energy content of which is deducted by virtue of head (ii) is in part composed); and

(ii) except in the case of an excepted generating station, any of those renewable sources which is a gaseous fuel produced by means of gasification or pyrolysis and which has a gross calorific value when measured at 25 degrees Celsius and 0.1 megapascals at the inlet to the station of less than 2 megajoules per metre cubed.”; and

(i) P is the energy content of all of the renewable sources used in generating the station's RO output electricity during that month less the energy content of—

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- (i) any fossil fuel from which those renewable sources are in part composed (other than fossil fuel from which a fuel the energy content of which is deducted by virtue of head (ii) is in part composed); and
- (ii) except in the case of an excepted generating station, any of those renewable sources which is a gaseous fuel produced by means of gasification or pyrolysis and which has a gross calorific value when measured at 25 degrees Celsius and 0.1 megapascals at the inlet to the station of less than 2 megajoules per metre cubed.”]

<sup>F9</sup>(4) .....

**Textual Amendments**

- F1** Words in art. 26 cross-heading substituted (1.4.2014) by [The Renewables Obligation \(Scotland\) Amendment Order 2014 \(S.S.I. 2014/94\)](#), arts. 1(1), **11(2)** (with art. 27)
- F2** Words in art. 26(1) inserted (1.4.2014) by [The Renewables Obligation \(Scotland\) Amendment Order 2014 \(S.S.I. 2014/94\)](#), arts. 1(1), **11(3)** (with art. 27)
- F3** Words in art. 26(1) inserted (1.4.2013) by [The Renewables Obligation \(Scotland\) Amendment Order 2013 \(S.S.I. 2013/116\)](#), arts. 1(1), **10(2)(a)** (with art. 29)
- F4** Words in art. 26(1) omitted (1.4.2013) by virtue of [The Renewables Obligation \(Scotland\) Amendment Order 2013 \(S.S.I. 2013/116\)](#), arts. 1(1), **10(2)(b)** (with art. 29)
- F5** Words in art. 26(2) substituted (1.4.2014) by [The Renewables Obligation \(Scotland\) Amendment Order 2014 \(S.S.I. 2014/94\)](#), arts. 1(1), **11(4)** (with art. 27)
- F6** Words in art. 26(2) substituted (1.4.2013) by [The Renewables Obligation \(Scotland\) Amendment Order 2013 \(S.S.I. 2013/116\)](#), arts. 1(1), **10(3)(a)** (with art. 29)
- F7** Words in art. 26(2) omitted (1.4.2013) by virtue of [The Renewables Obligation \(Scotland\) Amendment Order 2013 \(S.S.I. 2013/116\)](#), arts. 1(1), **10(3)(b)** (with art. 29)
- F8** Art. 26(3) substituted (1.4.2014) by [The Renewables Obligation \(Scotland\) Amendment Order 2014 \(S.S.I. 2014/94\)](#), arts. 1(1), **11(5)** (with art. 27)
- F9** Art. 26(4) omitted (1.4.2013) by virtue of [The Renewables Obligation \(Scotland\) Amendment Order 2013 \(S.S.I. 2013/116\)](#), arts. 1(1), **10(5)** (with art. 29)

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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](#)