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SCOTTISH STATUTORY INSTRUMENTS

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**2009 No. 140**

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

**PART 9**

**Provision of information, functions of the Authority and modification of this Order in relation to microgenerators in certain circumstances**

**Provision of information to the Authority**

**53.**—(1) The Authority may, by the date (if any) specified by it, require—

- (a) a designated electricity supplier to provide it with information which in its opinion is relevant to the question whether the supplier is discharging, or has discharged, its renewables obligation;
- (b) a person to provide it with information which in its opinion is relevant to the question whether a SROC is, or was or will in future be, required to be issued to the person.

(2) Without prejudice to paragraph (1), the Authority may, by the date (if any) specified by it, require any person who—

- (a) is the operator of a generating station generating electricity in respect of which a SROC has been or may be issued;
- (b) supplies, distributes or transmits such electricity; or
- (c) buys or sells (as a trader) such electricity or SROCs,

to provide it with such information as in its opinion it requires in order to carry out any of its functions under this Order.

(3) Without prejudice to paragraphs (1) and (2), for the purposes of determining the [<sup>F1</sup>RO eligible] renewable output of a generating station in a month (“the relevant month”) the operator of the station must provide the Authority with figures showing—

- (a) the [<sup>F2</sup>total input electricity and the RO input electricity] used by the station in the relevant month; and
- (b) the [<sup>F3</sup>total output electricity and the RO output electricity] of the station in that month,

by the end of the second month following the relevant month (and those figures may be estimated if the Authority has agreed to estimates being provided and to the way in which those estimates are to be calculated).

(4) Nothing in paragraph (3) prevents the Authority from accepting figures, or further figures, provided after the end of the second month following the relevant month if the Authority considers it appropriate to do so.

(5) Without prejudice to paragraphs (1) and (2), each designated electricity supplier must provide the Authority with—

- (a) estimates of the amount of electricity it has supplied to customers in Scotland during each month of an obligation period by no later than 1st June following that period;

- (b) figures showing the amount of electricity it has actually supplied to customers in Scotland during each month of an obligation period by no later than 1st July following that period; and
- [<sup>F4</sup>(ba) estimates of the amount of EII excluded electricity it has supplied to customers in Scotland during each month of an obligation period—
- (i) in respect of which article 12A applies; or
- (ii) in respect of which a revised obligation level applies in accordance with article 12B(6) or (7),
- by no later than 1st June following that period;
- (bb) figures showing the amount of EII excluded electricity it has actually supplied to customers in Scotland during each month of an obligation period—
- (i) in respect of which article 12A applies; or
- (ii) in respect of which a revised obligation level applies in accordance with article 12B(6) or (7),
- by no later than 1st July following that period;]
- (c) an estimate of the number of renewables obligation certificates it believes it would be required to produce to the Authority in order to discharge its renewables obligation for an obligation period if it did not discharge its renewables obligation for that period (in whole or in part) by some other means by no later than 1st July following that period.
- (6) When giving the information referred to in paragraph (5)(a) and (b), a designated electricity supplier must have regard to any sales figures, relating to the electricity in respect of which it is giving that information, which it has provided (or intends to provide) to the Department of Energy and Climate Change for publication in “Energy Trends”<sup>M1</sup>.
- (7) Without prejudice to paragraphs (1) and (2), for the purposes of determining whether a SROC certifying the matters within section 32B(5), (6) or (8) of the Act should be issued, the person to whom any such SROC would be issued must provide the Authority with—
- (a) a figure representing the amount of electricity in respect of which SROCs should (in that person's opinion) be issued; and
- (b) the data on which that person relied upon in arriving at that figure.
- (8) Information requested under or required to be provided by this article must be given to the Authority in whatever form it requires.

[<sup>F5</sup>(9) In this article “RO input electricity” and “RO output electricity”, in relation to a generating station, have the same meaning as they have in article 23A.]

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| <b>F1</b> | Words in art. 53(3) inserted (1.4.2014) by <a href="#">The Renewables Obligation (Scotland) Amendment Order 2014 (S.S.I. 2014/94)</a> , arts. 1(1), <b>15(2)(a)</b> (with art. 27)        |
| <b>F2</b> | Words in art. 53(3)(a) substituted (1.4.2014) by <a href="#">The Renewables Obligation (Scotland) Amendment Order 2014 (S.S.I. 2014/94)</a> , arts. 1(1), <b>15(2)(b)</b> (with art. 27)  |
| <b>F3</b> | Words in art. 53(3)(b) substituted (1.4.2014) by <a href="#">The Renewables Obligation (Scotland) Amendment Order 2014 (S.S.I. 2014/94)</a> , arts. 1(1), <b>15(2)(c)</b> (with art. 27)  |
| <b>F4</b> | <a href="#">Art. 53(5)(ba)(bb)</a> inserted (8.12.2017) by <a href="#">The Renewables Obligation (Scotland) Amendment Order 2017 (S.S.I. 2017/432)</a> , arts. 1(1), <b>10</b>            |
| <b>F5</b> | <a href="#">Art. 53(9)</a> substituted (1.4.2014) by <a href="#">The Renewables Obligation (Scotland) Amendment Order 2014 (S.S.I. 2014/94)</a> , arts. 1(1), <b>15(3)</b> (with art. 27) |

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**Marginal Citations**

- M1** Available at [www.dti.gov.uk/energy/inform/energy\\_trends/index.shtml](http://www.dti.gov.uk/energy/inform/energy_trends/index.shtml).

**Changes to legislation:**

There are currently no known outstanding effects for the The Renewables Obligation (Scotland) Order 2009, Section 53.