
SCOTTISH STATUTORY INSTRUMENTS

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

Functions of the Authority

57.—(1) In addition to the functions assigned to it elsewhere in this Order, the Authority shall have the following specific functions—

- (a) keeping, maintaining and making available to the public a list of generating stations granted preliminary accreditation [^{F1}in accordance with article 58 and accreditation in accordance with article 58ZZA], together with any applicable conditions attached to the preliminary accreditation or accreditation;
- (b) keeping and maintaining a list of SROCs which have been revoked and making such list available to the public;
- (c) calculating and publishing before the start of each obligation period (with the exception of the first obligation period to which this Order relates) the sum which corresponds to a SROC for that period by virtue of article 43(4);
- (d) calculating and publishing before the start of each obligation period (with the exception of the first obligation period to which this Order relates) the amount which is the mutualisation cap for that period by virtue of article 48(8);
- [^{F2}(da) calculating and publishing the mutualisation threshold (referred to in article 48(3A) for each obligation period—
 - (i) in the case of the obligation period beginning on 1 April 2023, as soon as reasonably practicable after the date on which the Renewables Obligation (Scotland) Amendment Order 2023 comes into force,
 - (ii) in the case of any subsequent obligation period, before the start of that obligation period;]]
- (e) publishing from time to time during an obligation period the total SROC claim for that period;
- (f) by the 1st April each year publishing a report in relation to the obligation period ending on the 31st March in the previous calendar year (“the relevant period”), such report to include details (or, in the case of paragraph (ix), a summary) of—
 - (i) the compliance of each designated electricity supplier with its renewables obligation, for the relevant period, including the extent to which that obligation was met by—
 - (aa) the production of renewables obligation certificates under article 5(2);
 - (bb) payments made under article 43; or
 - (cc) was treated as met by payments made under article 44;

- (ii) the sums received by each United Kingdom supplier under article 47 in relation to the relevant period;
 - (iii) the number of SROCs issued by the Authority, the number of renewables obligation certificates accepted by it under article 5(2), and the number of SROCs issued by it but not yet deleted from the Register in relation to the relevant period;
 - (iv) the number of SROCs issued by the Authority in relation to the relevant period categorized by reference to the way in which the electricity in respect of which the SROCs were issued was generated;
 - (v) any notices published by the Authority under article 49(2) or article 50(5)(e) in relation to the relevant period;
 - (vi) any payments made to the Authority in accordance with article 49(5), during or in relation to the relevant period;
 - (vii) the sums received by each compliant United Kingdom supplier under article 52, during or in relation to the relevant period;
 - (viii) any recalculations carried out by the Authority in accordance with article 50(5), during or in relation to the relevant period;
 - (ix) the outcome of any enquiries or investigations conducted by the Authority pursuant to sub-paragraph (g) in relation to the relevant period; and
 - (x) any other matters which the Authority considers relevant in relation to the relevant period;
- (g) monitoring compliance with this Order by designated electricity suppliers and operators of generating stations (including compliance by operators of generating stations with any conditions attached to their accreditation) and such monitoring may include conducting enquiries or investigations into–
- (i) the amount of electricity generated from renewable sources by accredited generating stations;
 - (ii) the amount of such electricity supplied to customers in Great Britain;
 - (iii) the transfer and holding of SROCs (including the transfer and holding of SROCs issued to agents by virtue of article 35);
 - (iv) the effect of such matters on the making and allocation of payments under articles 43, 44, 47, 49, 51 and 52; and
 - (v) the effect of the renewables obligation on the activities and operations of designated electricity suppliers and operators of generating stations;
- (h) publishing at its discretion reports of enquiries or investigations conducted by the Authority pursuant to sub-paragraph (g); and
- (i) the provision of such information to the Northern Ireland authority as the Authority considers may be relevant to the exercise of the Northern Ireland authority's functions under any NIRO Order.

[^{F3}(1A) The Authority must, as soon as reasonably practicable after each obligation period, forward to the Scottish Ministers a summary of the sustainability information submitted to it during that period.]

(2) In this article “total SROC claim” means the total number of SROCs which have been claimed in respect of an obligation period, less–

- (a) the number of SROCs which have been issued in respect of that obligation period; and
- (b) the number of SROCs which the Authority has, in respect of that obligation period, decided not to issue or refused to issue under article 41 ^{F4}....

- F1** Words in art. 57(1)(a) substituted (1.4.2014) by [The Renewables Obligation \(Scotland\) Amendment Order 2014 \(S.S.I. 2014/94\)](#), arts. 1(1), **19(2)** (with art. 27)
- F2** Art. 57(1)(da) inserted (31.3.2023) by [The Renewables Obligation \(Scotland\) Amendment Order 2023 \(S.S.I. 2023/103\)](#), arts. 1(1), **4**
- F3** Art. 57(1A) inserted (1.4.2011) by [The Renewables Obligation \(Scotland\) Amendment Order 2011 \(S.S.I. 2011/225\)](#), arts. 1, **14** (with art. 19)
- F4** Words in art. 57(2)(b) omitted (1.4.2014) by virtue of [The Renewables Obligation \(Scotland\) Amendment Order 2014 \(S.S.I. 2014/94\)](#), arts. 1(1), **19(3)** (with art. 27)

Changes to legislation:

There are currently no known outstanding effects for the The Renewables Obligation (Scotland) Order 2009, Section 57.