

SCHEDULE 4

Article 59

THE REGISTER

1. The Authority must establish and maintain the Register referred to in article 59 (which may be in electronic form) at one or more of its premises.
2. The Register must identify whether or not a SROC subsists and details of its particulars.
3. Particulars of a SROC comprise—
 - (a) the name of the person to whom the Authority issues the SROC or, where the Authority has amended the Register in dealing with a request for substitution in accordance with paragraph 7, the name of the substitute (“the registered holder”); and
 - (b) an identifier unique to the SROC (“the SROC identifier”) determined by the Authority and containing the following information (or reference to that information in coded format)—
 - (i) the month and year during which the electricity was generated;
 - (ii) the location of the generating station or, where the SROC certifies the matters within section 32B(5), (6) or (8) of the Act, the location of the agent to whom, by virtue of article 35, the SROC was issued;
 - (iii) a description of that generating station or, where the SROC certifies the matters within section 32B(5), (6) or (8) of the Act, the generating stations to which the SROC relates, including reference to the renewable source or sources used by it or them to generate electricity;
 - (iv) the date of issue of the SROC; and
 - (v) the number given to the SROC by the Authority.
4. A person may only be the registered holder of a SROC or have an entry made and maintained in respect of them under article 59(3)(b) if they provide to the Authority in writing—
 - (a) evidence of their identity; and
 - (b) where persons are authorised to act on their behalf in respect of the production of SROCs under article 5(2) or in respect of requests for amendments to be made to the Register as provided for in this Schedule, details of those persons.
5. The Authority may from time to time draw up procedural guidelines for itself and others to assist it in maintaining the Register and carrying out its functions in respect thereof.
6. The Authority must delete from the Register any SROC which—
 - (a) has been revoked by it;
 - (b) has been produced to it under article 5(2);
 - (c) is no longer eligible to be produced to it under article 5(2);
 - (d) it is asked to delete from the Register by the registered holder of the SROC; or
 - (e) has been (according to the Northern Ireland authority) produced to the Northern Ireland authority by a Northern Ireland supplier under a NIRO Order,and where a SROC is so deleted, it cannot thereafter be produced to the Authority under article 5(2).
7. Where the registered holder of a SROC and a person whom the holder wishes to be the registered holder of it require the Register to be amended, by substituting for the name of the registered holder the name of the other person (“the substitute”), (who must be a person whose name is included on the list referred to in article 59(3)(b))—
 - (a) the registered holder and the substitute must each submit to the Authority in writing requests which are identical in all material respects; and

- (b) where the requirements of sub-paragraph (a) are met, the Authority must, within 5 banking days after the banking day on which (at the commencement of its working hours) it is first in possession of the requests, amend the particulars of the SROC recorded in the Register to show the substitute as the registered holder.

8. Where the Authority receives requests under paragraph 7(a) it must inform both the registered holder of the SROC and the substitute that the requests have been received and, in the event that the requests are not identical in all material respects, must draw this to their attention.

9. Where—

- (a) a SROC is issued under this Order; or
- (b) a substitute is recorded as the registered holder of a SROC pursuant to paragraph 7,

the Authority must notify the registered holder or, as the case may be, the former and new registered holder of that fact in writing within 5 banking days of the issue or substitution having taken place.

10. The substitute cannot be the registered holder of a SROC until such time as the particulars of the SROC recorded in the Register identify the substitute as such.

11. The Register may be amended by a decision of the Authority—

- (a) where the Authority is satisfied that an entry in the Register has been obtained by fraud;
- (b) where a decision of a Court of competent jurisdiction or the operation of law requires the amendment of the Register;
- (c) where the Authority is satisfied that, for some other reason, it is necessary to amend the Register (for example, because an entry in it is incorrect).

12. The contents of the Register (including the entries referred to in article 59(3)(b)) must be available for inspection by the public on request at reasonable notice during the Authority's working hours and at the request of any person the Authority must provide a written statement of any entry on the Register including any entry referred to in article 59(3)(b).

13. Where any person considers that an entry maintained in respect of them under article 59(3)(b) should be amended or deleted, they may apply to the Authority in writing requesting that the entry be amended or deleted.

14. The Authority must in any procedural guidelines which it produces provide details of its usual working hours.

15. In this Schedule “banking day” means a day on which banks are generally open in the City of London excluding Saturdays and Sundays.

Changes to legislation:

There are currently no known outstanding effects for the The Renewables Obligation (Scotland) Order 2009, SCHEDULE 4.