
DRAFT STATUTORY INSTRUMENTS

2015 No.

The Renewables Obligation Order 2015

PART 4

Issue and revocation of ROCs

Refusing to issue and revoking ROCs

24.—(1) The Authority may refuse to issue a ROC where, in its opinion—

- (a) any confirmation required under articles 20 to 23 in respect of that ROC has not been provided,
- (b) any confirmation provided to it under this Part is not accurate and reliable, or
- (c) any requirement in article 78 or 80 which relates to that ROC is not met.

(2) Where, in relation to any electricity generated by a generating station in a month, the Authority is satisfied that—

- (a) any confirmation provided to it under this Part is false,
- (b) any information requested under or required to be provided by article 78 or 80 is false, or
- (c) a ROC was issued on the basis of any fraudulent behaviour, statement or undertaking on the part of the operator of that generating station or a connected person or, where ROCs are issued to an agent by virtue of article 19, that agent,

the Authority may revoke all ROCs issued in respect of that electricity in that month.

(3) The Authority must revoke any ROC which it has issued where the ROC certifies the matters within section 32B(4) or (6) of the Act and the Northern Ireland authority has notified the Authority that it is not satisfied that the electricity in respect of which the ROC was issued has been supplied to customers in Northern Ireland.

(4) Where the Authority—

- (a) is no longer satisfied that a ROC is accurate or should have been issued,
- (b) has reasonable doubts as to the accuracy or reliability of the information upon which it relied prior to the issue of a ROC, or
- (c) has been unable, due to a failure or refusal by any person (whether inside or outside England and Wales) to provide it with any information reasonably requested by it, to check the accuracy of either a ROC or any information which it relied upon prior to the issue of a ROC,

it may revoke the ROC (or another ROC which is identical in all material respects and which has been issued to the same person).

(5) In determining whether to revoke a ROC under paragraph (3) or (4), the Authority may disregard any changes to the amounts for RO input electricity, RO output electricity, total input electricity and total output electricity which were used by it to determine a generating station's RO eligible renewable output in a month if satisfied that, in all the circumstances, it is reasonable for it to do so.

(6) Where the Authority revokes a ROC it must delete that ROC from the Register and as soon as reasonably practicable afterwards give notice in writing of such revocation to the person who was the registered holder of the ROC at the time of its revocation.

(7) This article is subject to article 25(2) to (4).