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DRAFT STATUTORY INSTRUMENTS

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**2018 No.**

**The Renewable Heat Incentive Scheme Regulations 2018**

**PART 2**

**Eligibility and matters relating to eligibility**

**CHAPTER 2**

**Eligibility criteria for technologies**

**Other eligibility requirements for technologies**

- 16.**—(1) The requirements referred to in regulation 4(b)(i) are—
- (a) except where regulation 12(2)(b) or 13 applies—
    - (i) in the case of a plant generating heat using biogas combustion with an installation capacity of 200kWth or above or an air source heat pump, the plant was first commissioned on or after 4th December 2013;
    - (ii) in all other cases, installation of the plant was completed and the plant was first commissioned on or after 15th July 2009;
  - (b) except where regulation 12(2)(b) or 13 applies, the plant was new at the time of installation;
  - (c) the plant uses liquid or steam as a medium for delivering heat to the space, water or process or to any of the purposes in regulation 3(2)(b); and
  - (d) the heat generated by the plant is used for an eligible purpose.
- (2) In the case of a CHP system—
- (a) the requirements of paragraph (1)(a)(i) and (b) are deemed to be satisfied where a plant was previously generating electricity only, using biogas, and was first commissioned as a CHP system on or after 4th December 2013; and
  - (b) the requirements of paragraph (1)(a)(ii) and (b) are deemed to be satisfied where the plant was previously generating electricity only, using solid biomass, solid biomass contained in waste, or biogas, and was first commissioned as a CHP system on or after 15th July 2009.
- (3) But the requirements of paragraph (1)(a) and (b) are not satisfied where the plant was previously generating heat only and was first commissioned as a CHP system on or after 15th July 2009.