
DRAFT STATUTORY INSTRUMENTS

2018 No.

The Renewable Heat Incentive Scheme Regulations 2018

PART 7

Periodic support payments

CHP systems accredited in relation to the Renewables Obligation

69.—(1) No periodic support payments may be made in relation to any heat generated by any capacity of a CHP system to which paragraph (2) or (3) applies.

(2) This paragraph applies to capacity which generated heat and electricity before 1st April 2013 and which—

- (a) uses solid biomass or solid biomass contained in waste to generate heat and electricity; and
- (b) forms part of a generating station which—
 - (i) was accredited under the Renewables Obligation Order 2009⁽¹⁾ or the Renewables Obligation (Scotland) Order 2009⁽²⁾; and
 - (ii) is or, at any time since it was so accredited, has been a qualifying combined heat and power generating station within the meaning of article 2 of either of those Orders.

(3) This paragraph applies to capacity which first generates heat and electricity on or after 1st April 2013 and—

- (a) which—
 - (i) uses solid biomass, other than solid biomass contained in waste, to generate heat and electricity;
 - (ii) forms part of a generating station which is accredited under the Renewables Obligation Order 2009, the Renewables Obligation Order 2015⁽³⁾ or the Renewables Obligation (Scotland) Order 2009; and
 - (iii) is capacity in respect of which a declaration under article 28(7) of either the Renewables Obligation Order 2009 or the Renewables Obligation (Scotland) Order 2009, or under article 35(7) of the Renewables Obligation Order 2015 has been made; or
- (b) which—
 - (i) uses solid biomass contained in waste to generate heat and electricity;
 - (ii) forms part of a generating station which is accredited under the Renewables Obligation Order 2009, the Renewables Obligation Order 2015 or the Renewables Obligation (Scotland) Order 2009; and

(1) *S.I. 2009/785*. Relevant amending instruments are *S.I. 2010/1107*, *2011/984*, *2013/768* and *2014/893*. The Order was revoked with savings by *S.I. 2015/1947*.

(2) *S.S.I. 2009/140*. Relevant amending instruments are *S.S.I. 2010/147*, *2011/225*, *2013/116*, *2014/94*, *2015/384*, *2016/1108* and *2017/432*, and *S.I. 2016/1108* and *2017/1234*.

(3) *S.I. 2015/1947*, as amended by *S.I. 2016/1108*, *2017/1234* and *2017/1289*.

- (iii) forms part of a generating station which is or at any time since it was so accredited has been—
 - (aa) a qualifying combined heat and power generating station within the meaning of article 2 of the Renewables Obligation Order 2009 or the Renewables Obligation (Scotland) Order 2009; or
 - (bb) a qualifying CHP station within the meaning of article 2(1) of the Renewables Obligation Order 2015.