

SCHEDULE 1

Regulation 6(c)

Content of RHI emission certificates

1. The name and address of the testing laboratory by which tests have been carried out.
2. The name and signature of the person authorised by the testing laboratory to issue the certificate.
3. The date of issue of the certificate together with a certificate reference number.
4. Where the testing laboratory is accredited to BS EN ISO/IEC 17025:2005(1)—
 - (a) the date of that accreditation; and
 - (b) the accreditation number.
5. The name, model, manufacturer and installation capacity of the plant tested.
6. The date of the testing.
7. Confirmation that emissions of NO_x and PM have been tested on the same occasion in accordance with the requirements specified in paragraph 8 or 9.
8. The requirements of this paragraph are that testing is carried out in accordance with the provisions relevant to emissions of PM and NO_x in either BS EN 303-5:1999(2) or BS EN 303-5:2012(3), whichever standard is current at the time of testing.
9. The requirements of this paragraph are that—
 - (a) testing is carried out in accordance with—
 - (i) BS EN 14792:2005(4) in respect of NO_x emissions; and
 - (ii) BS EN 13284-1:2002(5) or BS ISO 9096:2003(6) in respect of PM emissions;
 - (b) the emissions of PM represent the average of at least three measurements of emissions of PM, each of at least 30 minutes duration; and
 - (c) the value for NO_x emissions is derived from the average of measurements made throughout the PM emission tests.
10. Confirmation that the test was carried out at no less than 85% of the installation capacity of the plant.
11. Confirmation that when tested as specified in paragraphs 7 to 10—
 - (a) emissions of PM from the plant did not exceed 30 grams of PM per gigajoule net heat input; and
 - (b) emissions of NO_x did not exceed 150 grams of NO_x per gigajoule net heat input.
12. The actual emissions of PM and NO_x measured when the plant was tested as specified in paragraphs 7 to 10.

(1) The ISBN for the English language version of this standard is ISBN 0 580 46330 3. This standard was published by the British Standards Institution on 29th June 2005 and copies, including hard copies, can be obtained at www.bsigroup.com.

(2) The ISBN for the English language version of this standard is ISBN 0 580 32356 0. This standard was published by the British Standards Institution on 15th November 1999 and copies, including hard copies, can be obtained at www.bsigroup.com.

(3) The ISBN for the English language version of this standard is ISBN 978 0 580 71785 7. This standard was published by the British Standards Institution on 31st August 2012 and copies, including hard copies, can be obtained at www.bsigroup.com.

(4) The ISBN for the English language version of this standard is ISBN 0 580 46990 5. This standard was published by the British Standards Institution on 4th January 2006 and copies, including hard copies, can be obtained at www.bsigroup.com.

(5) The ISBN for the English language version of this standard is ISBN 0 580 38920 0. This standard was published by the British Standards Institution on 25th January 2002 and copies, including hard copies, can be obtained at www.bsigroup.com.

(6) The ISBN for the English language version of this standard is ISBN 0 580 41276 8. This standard was published by the British Standards Institution on 24th February 2003 and copies, including hard copies, can be obtained at www.bsigroup.com.

- 13.** A list of—
- (a) the types of fuel used during the testing; and
 - (b) the types of fuel which can be used so as to ensure that the emission limits referred to in paragraph 11 are not exceeded.
- 14.** The moisture content of the fuel used during testing and the maximum moisture content which can be used so as to ensure that the emission limits referred to in paragraph 11 are not exceeded.
- 15.** A statement indicating whether or not the plant tested was a manually stoked natural draught plant.
- 16.** A list of plants, other than the plant tested, in the type-testing range of plants to which the certificate applies, if any.

SCHEDULE 2

Regulations 30, 32, 33, 34 and 89

Information required for accreditation or registration

- 1.—**(1) This Schedule specifies the information that may be required of an applicant.
- (2) The information is, as applicable to the applicant—
- (a) name, home address, e-mail address and telephone number;
 - (b) any company registration number and registered office;
 - (c) any trading or other name by which the applicant is commonly known;
 - (d) details of a bank account in the applicant's name which accepts pound sterling deposits in the United Kingdom;
 - (e) information to enable the Authority to satisfy itself as to the identity of the individual completing the application;
 - (f) where an individual is making an application on behalf of a company, evidence which satisfies the Authority that the individual has authority from the company to make the application on its behalf;
 - (g) details of the eligible installation owned by the applicant including its cost;
 - (h) evidence which satisfies the Authority as to the ownership of the eligible installation;
 - (i) evidence that the eligible installation was new at the time of installation;
 - (j) where an eligible installation has replaced a plant, details of the plant replaced;
 - (k) evidence which demonstrates to the Authority's satisfaction the installation capacity of the eligible installation;
 - (l) in the case of a plant which is a CHP system, evidence which demonstrates to the Authority's satisfaction any capacity to which paragraphs (2) and (3) of regulation 69 apply;
 - (m) details of the fuel which the applicant is proposing to use;
 - (n) in relation to applicants generating heat from biomass, notification as to whether the applicant is proposing to use solid biomass contained in waste and, if so, whether or not the applicant is regulated under the Environmental Permitting (England and Wales) Regulations 2010(7), the Environmental Permitting (England and Wales) Regulations 2016(8), or the Pollution Prevention and Control (Scotland) Regulations 2012(9);

(7) S.I. 2010/675. Relevant amending instruments are S.I. 2011/988, 2012/630, 2013/390, 2014/255, and 2016/475.

- (o) where the plant is a ground source heat pump or air source heat pump, evidence which demonstrates to the Authority's satisfaction—
 - (i) that the heat pump meets a coefficient of performance of at least 2.9;
 - (ii) in relation to an application for accreditation after 28th May 2014, evidence that the heat pump has been designed and installed to operate with a seasonal performance factor of at least 2.5;
- (p) in the case of a ground source heat pump in respect of which an application for accreditation is made on or after 28th May 2014, a declaration from the installer that the size of the heat pump has been determined appropriately for the planned heat use;
- (q) in the case of a ground source heat pump in respect of which an application for accreditation is made on or after 28th May 2014 and which is capable of heating and cooling, a declaration from the installer—
 - (i) as to the design heat load;
 - (ii) that the design heat load has been calculated according to BS EN 12831:2003⁽¹⁰⁾; and
 - (iii) as to the outdoor temperatures used in the calculation of the design heat load;
- (r) in the case of a shared ground loop system—
 - (i) evidence and declarations as specified under paragraphs (o) and (p) in relation to each ground source heat pump which forms part of the shared ground loop system;
 - (ii) where a ground source heat pump is not installed in domestic premises, declarations as specified under paragraph (q);
 - (iii) evidence which demonstrates to the Authority's satisfaction that the shared ground loop system has been designed and installed to operate with a seasonal performance factor of at least 2.5;
 - (iv) where a ground source heat pump which forms part of the shared ground loop system is installed in domestic premises—
 - (aa) information about the ground source heat pump or any meters installed in relation to it which, if so requested by the Authority, is provided by the installer responsible for the installation of the ground source heat pump, by the certified installer responsible for, or who checked, the installation of the meters, or by the applicant and verified by the relevant installer;
 - (bb) a copy of any EPC or the unique reference number for any EPC specified by the Authority for any of the properties to which the ground source heat pump provides heat;
 - (cc) if the EPC referred to in paragraph (bb) includes a recommendation report that recommends the installation of loft or cavity wall insulation and the Authority is not satisfied that the loft or cavity wall insulation cannot be installed in the property for a reason set out in regulation 11(5)(c), details of a new EPC for the property which no longer includes a recommendation report that recommends the installation of that insulation;
- (s) in respect of a biogas installation or a biomethane producer, details of the feedstock which the producer of the biogas which is to be used to generate heat or produce biomethane is proposing to use;

⁽⁸⁾ S.I. 2016/1154, as amended by S.I. 2018/110.

⁽⁹⁾ S.S.I. 2012/360, as amended by S.S.I.2014/267. There are other amending instruments but none is relevant.

⁽¹⁰⁾ The ISBN for the English language version of this standard is ISBN 978 0 580 84107 1. This standard was published by the British Standards Institution on 22nd August 2003 and copies, including hard copies, can be obtained at www.bsigroup.com.

- (t) details of what the heat generated by the eligible installation will be used for and an estimate of how much heat will be used, together with an estimate of the number of hours of operation per week in which heat will be generated for an eligible purpose;
 - (u) details of the building in which the heat will be used;
 - (v) the industry sector for which the heat will be used;
 - (w) details of the size and annual turnover of the applicant's organisation;
 - (x) details of other plants generating heat which form part of the same heating system as the eligible installation to which the application relates;
 - (y) where regulation 18 applies, evidence from the installer that the requirements specified in that regulation are met;
 - (z) such information as the Authority may specify to enable it to satisfy itself that the requirements of Chapter 3 of Part 2 have been met including—
 - (i) evidence that a class 2 heat meter, other heat meter or steam measuring equipment has been installed;
 - (ii) evidence that the class 2 heat meter, other heat meter or steam measuring equipment was calibrated prior to use;
 - (iii) in relation to all heat meters, details of the meter's manufacturer, model, and meter serial number;
 - (iv) a schematic diagram showing details of the heating system of which the eligible installation forms part, including all plants generating and supplying heat to that heating system, all purposes for which heat supplied by that heating system is used, the location of meters and associated components and such other details as may be specified by the Authority;
 - (v) where—
 - (aa) an eligible installation has an installation capacity of 1MWth or above; or
 - (bb) regulation 22 or 23 applies,if so requested by the Authority, an independent report by a competent person verifying that such of those requirements as the Authority may specify have been met;
 - (aa) in relation to plant generating heat from solid biomass, either—
 - (i) evidence which demonstrates to the satisfaction of the Authority that an RHI emission certificate has been issued in relation to that plant; or
 - (ii) evidence which demonstrates to the satisfaction of the Authority that an environmental permit subsists in relation to that plant;
 - (bb) evidence from the relevant planning authority that—
 - (i) any necessary planning permission has been granted; or
 - (ii) planning permission is not required;
 - (cc) such other information as the Authority may require to enable it to consider the applicant's application for accreditation or registration.
- (3) Information specified in this Schedule must be provided in such manner and form as the Authority may reasonably request.
- (4) The costs of providing the information specified in this Schedule are to be borne by the applicant.
- (5) For the purposes of sub-paragraph (2)(o)(ii)—

- (a) where the heat pump has an installation capacity of 45kWth or below, a declaration from the installer may be accepted as evidence that the heat pump was designed and installed to operate with a seasonal performance factor of at least 2.5 where the declaration states that the seasonal performance factor was calculated in line with the methodology used in version 1.0 of the document entitled “MCS 026 Seasonal Coefficient of Performance Calculator” published on 1st May 2015(11);
- (b) where the heat pump has an installation capacity of more than 45kWth, a declaration by the installer that the heat pump has been designed and installed to operate with a seasonal performance factor of at least 2.5 may be accepted as evidence of that fact, provided that the installation design and supporting calculations are retained by the applier and can be provided to the Authority on request.

SCHEDULE 3

Regulations 47 and 49

Greenhouse gas criteria

1. Solid biomass, biogas or biomethane meets the greenhouse gas criteria if the lifecycle greenhouse gas emissions associated with each consignment of that solid biomass, biogas or biomethane are less than or equal to 34.8g of CO₂ eq per MJ of heat generated (in the case of solid biomass or biogas) or biomethane injected.

2. Lifecycle greenhouse gas emissions are to be calculated as follows—

- (a) where heat and power are generated from solid biomass or biogas, the following formula must be used—

$$\frac{C_h \times \eta_h}{\eta_{el} + C_h \times \eta_h}$$

- (b) where heat (and not heat and power) is generated from solid biomass or biogas, the following formula must be used—

$$\frac{E}{\eta_h}$$

- (c) where biomethane is produced from biogas, lifecycle greenhouse gas emissions must be E.

3. For the purposes of paragraph 2—

- (a) η_h is the efficiency of the plant in which the heat is generated, calculated as $\frac{H}{F}$ where—

- (i) H is the heat produced by the plant in the form of liquid or steam from all fuels used in that plant; and
- (ii) F is the energy content of all those fuels;

- (b) η_{el} is the efficiency of the plant in which electricity is generated, calculated as $\frac{A}{F}$ where—

- (i) A is the total amount of electricity generated by the plant from all the fuels used by that plant; and
 - (ii) F is the energy content of all those fuels;
- (c) C_h is equal to—
- (i) where the temperature (T) is less than 423 kelvin, 0.3546; and
 - (ii)
$$\frac{T - 273}{T}$$
 in any other case, where T is the temperature measured in kelvin of the heat produced by the plant in the form of liquid or steam;
- (d) E is the greenhouse gas emissions expressed in grammes of CO₂ eq per MJ of heat produced, from the production of the biomass, biogas or biomethane and calculated—
- (i) using the actual value method in the case of participants producing biomethane for injection or using heat for a process in an accredited RHI installation with an installation capacity of 1MWth or above; or
 - (ii) in all other cases, using the actual value method or the default value method.
4. In this Schedule—
- “actual value method” means the method set out in Part C of Annex 5 of [Directive 2009/28/EC](#) of the European Parliament and of the Council on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives [2001/77/EC](#) and [2003/30/EC](#)(12) but with the following modifications to that Part—
- (a) in paragraph 1—
 - (i) for “and use of transport fuels, biofuels and bioliquids” substitute “of solid biomass, biogas or biomethane”;
 - (ii) for “E=total emissions from the use of the fuel” substitute “E=greenhouse gas emissions from the production of the solid biomass, biogas or biomethane”;
 - (iii) for “e_u=emissions from the fuel in use” substitute “e_u=zero”;
 - (b) in paragraph 2, for “fuels” and “fuel” substitute “solid biomass, biogas or biomethane”;
 - (c) omit paragraphs 3 and 4;
 - (d) in paragraph 7—
 - (i) for each reference to “biofuel” substitute “solid biomass, biogas or biomethane”;
 - and
 - (ii) omit the words “or bioliquid” in each place in which they occur;
 - (e) in paragraph 11—
 - (i) at the end of the first sentence add “and in the case of biomethane shall include emissions from processing biogas into biomethane”;
 - (ii) for “fuel” substitute “solid biomass, biogas or biomethane”;
 - (f) in paragraph 12, after “storage and distribution of finished materials” insert “, except in the case of biomethane”;
 - (g) omit paragraph 13;
 - (h) in paragraph 14, for “fuel” substitute “solid biomass, biogas or biomethane”;
 - (i) in paragraph 16, for each reference to “fuel” substitute “solid biomass or biogas”;
 - (j) in paragraph 17, for each reference to “fuel” substitute “solid biomass or biogas”;

(12) OJ L 140 5.6.2009, p16.

- (k) in paragraph 18—
 - (i) for “fuel” and “fuels” substitute “solid biomass or biogas”;
 - (ii) omit the words “In the case of biofuels and bioliquids,”;
 - (iii) before “and residues from processing” insert “residues from forestry, arboriculture, aquaculture and fisheries”;
- (l) for paragraph 19 substitute—

“19. Where material is added to the solid biomass to act as a binding agent or to reduce the emissions of dust, carbon dioxide, methane or nitrous oxide from the use of the biomass, the material so added shall be considered to have zero greenhouse gas emissions provided that the material so added does not exceed 2% by weight of the solid biomass.”;

“default value method” means the use of the figures set out in the second column of the following table headed “Default values for solid biomass and biogas” to represent ‘E’ in relation to the corresponding type of fuel set out in the first column of that table;

“energy content” means the energy contained within a substance (whether measured by a calorimeter or determined in some other way) expressed in terms of the substance’s net calorific value within the meaning of BS 7420:1991 (Guide for the determination of calorific values of solid, liquid and gaseous fuels (including definitions))(13).

Default values for solid biomass or biogas

<i>Primary solid biomass or biogas</i>	<i>Default value for greenhouse gas emissions (in grams of CO₂ eq per MJ of heat produced)</i>
Wood chips from forest residues (European temperate continental forest)	1
Wood chips from forest residues (tropical and sub-tropical forest)	25
Wood chips from short rotation forestry (European temperate continental forest)	4
Wood chips from short rotation forestry (tropical and sub-tropical, for example, eucalyptus)	28
Wood briquettes or pellets made from European temperate continental forest residues where the production process uses wood as fuel	2
Wood briquettes or pellets made from tropical or sub-tropical forest residues where the production process uses natural gas as fuel	20
Wood briquettes or pellets made from tropical or sub-tropical forest residues where the production process uses wood as fuel	17

(13) The ISBN for the English language version of this standard is ISBN 0 580 19482 5. This standard was published by the British Standards Institution on 28th June 1991 and copies, including hard copies, can be obtained at www.bsigroup.com.

<i>Primary solid biomass or biogas</i>	<i>Default value for greenhouse gas emissions (in grams of CO₂ eq per MJ of heat produced)</i>
Wood briquettes or pellets made from the product of short rotation forestry in European temperate continental forest where the production process uses wood as fuel	4
Wood briquettes or pellets made from the product of short rotation forestry in European temperate continental forest where the production process uses natural gas as fuel	22
Wood briquettes or pellets made from the produce of short rotation forestry in tropical and sub-tropical forest, for example eucalyptus, where the production process uses wood as fuel	22
Wheat straw	2
Bagasse briquettes using wood as process fuel	17
Bagasse bales	20
Palm kernel	27
Rice husk briquettes	28
Miscanthus bales	7
Biogas from wheat and straw (wheat whole plant)	21
Biogas from organic maize as a whole plant (maize as main crop)	19

SCHEDULE 4

Regulation 47

Land criteria

PART 1

Interpretation

1. In this Schedule, material is added to solid biomass for an exempt purpose if—
 - (a) it is added for the purpose of the use of that solid biomass as a fuel, in order to—
 - (i) act as a binding agent; or
 - (ii) reduce emissions of dust, carbon dioxide, methane or nitrous oxide from the use of the fuel; and
 - (b) it does not exceed 2% of the weight of the fuel.

2. In this Schedule—

“continuously forested area” means land of an area of more than one hectare which includes—

- (a) trees more than five metres tall providing a tree canopy cover of more than 30%; or
- (b) trees collectively having the capacity to provide a tree canopy cover of more than 30% which—
 - (i) are more than five metres tall; or
 - (ii) have the capacity to grow to a height of more than five metres;

“designated for nature protection purposes” means designated pursuant to the law of the United Kingdom or of any part of the United Kingdom or pursuant to the law of any country or territory outside the United Kingdom, for the purpose of protecting the natural environment;

“highly biodiverse grassland” is to be construed in accordance with Article 17(3)(c) of [Directive 2009/28/EC](#) of the European Parliament and of the Council on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives [2001/77/EC](#) and [2003/30/EC](#)(**14**);

“local and national laws” means laws applying in the locality in which the site is situated, whether made at a local or national level;

“primary forest” means woodland of native species, where there is no clearly visible indication of human activity and ecological processes are not significantly disturbed; and

“wetland area” means land that is covered with or saturated by water—

- (a) permanently; or
- (b) for a significant part of the year.

3. For the purposes of this Schedule—

- (a) solid biomass was obtained from a former continuously forested area if the land—
 - (i) was a continuously forested area at any time during January 2008; and
 - (ii) was not a continuously forested area when the solid biomass was obtained from it.
- (b) solid biomass was obtained from a former wetland area if the land—
 - (i) was a wetland area at any time during January 2008; and
 - (ii) was not a wetland area when the solid biomass was obtained from it.

PART 2

Land criteria for solid biomass which is wood or wholly derived from wood, excluding energy crops

4. Solid biomass which is wood or wholly derived from wood (except energy crops) meets the land criteria if—

- (a) at least 70% of the consignment was obtained from a sustainable source;
- (b) where more than one consignment is used in a quarterly period, at least 70% of the solid biomass used was obtained from a sustainable source; or

(14) OJ L 140 5.6.2009, p16; article 17 was amended by article 2(5) of Directive (EU) 2015/1513 of the European Parliament and of the Council amending [Directive 98/70/EC](#) relating to the quality of petrol and diesel fuels and amending [Directive 2009/28/EC](#) on the promotion of the use of energy from renewable sources (OJ L 239 15.9.2015, p1).

- (c) the solid biomass was certified under an environmental quality assurance scheme which ensures that at least 70% of the solid biomass certified by that scheme was obtained from a sustainable source.
- 5.—(1) For the purposes of paragraph 4, solid biomass which is wood or wholly derived from wood (except energy crops) is obtained from a sustainable source if it—
- (a) was grown within an area of forest or of other land which is managed—
 - (i) in a way that is consistent with—
 - (aa) the Forest Europe Sustainable Forest Management Criteria; or
 - (bb) a set of international principles for the sustainable management of land which meet the requirements specified in sub-paragraph (2); and
 - (ii) to meet the requirements specified in sub-paragraph (4);
 - (b) was residue from arboriculture carried out in an area which was not a forest; or
 - (c) was removed for the purpose of creating, restoring or maintaining the ecosystem of an area which was not a forest.
- (2) The requirements specified in this sub-paragraph are that—
- (a) the principles have been adopted following a process (“the principle-setting process”) which sought to—
 - (i) obtain a balanced representation of the views of interest groupings;
 - (ii) ensure that no single interest grouping could dominate the principle-setting process; and
 - (iii) ensure that no decision on the contents of the principles could be made in the absence of agreement from a majority within each interest grouping involved in the principle-setting process; and
 - (b) the principles can be changed by a process (“the change process”) which seeks to ensure that—
 - (i) no single interest grouping can dominate the change process; and
 - (ii) no decision on changes to the principles can be made in the absence of agreement from a majority within each interest grouping involved in the change process.
- (3) For the purposes of sub-paragraph (2), each of the following is an interest grouping in relation to an area of forest or of other land where the solid biomass was grown—
- (a) persons with interests which are predominantly economic in nature;
 - (b) persons with interests which are predominantly environmental in nature;
 - (c) persons with interests which are predominantly social in nature.
- (4) The requirements specified in this sub-paragraph are—
- (a) harm to ecosystems is minimised, in particular by—
 - (i) assessing the impacts of the extraction of wood from the area and adopting plans to minimise any negative impacts;
 - (ii) protecting soil, water and biodiversity;
 - (iii) controlling the use of chemicals and ensuring that chemicals are used in an appropriate way;
 - (iv) wherever possible, using integrated pest management (within the meaning of Article 3(6) of [Directive 2009/128/EC](#) of the European Parliament and of the Council of

- 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides)⁽¹⁵⁾; and
- (v) disposing of waste in a manner that minimises any negative impacts;
- (b) the productivity of the area is maintained, in particular by—
- (i) adopting plans to avoid significant negative impacts on productivity;
 - (ii) adopting procedures for the extraction of wood that minimise the impact on other uses of the area;
 - (iii) providing for all of the contractors and workers who are working in the area to be adequately trained in relation to the maintenance of productivity; and
 - (iv) maintaining an adequate inventory of the trees in the area (including data on the growth of the trees and on the extraction of wood) so as to ensure that wood is extracted from the area at a rate which does not exceed its long-term capacity to produce wood;
- (c) compliance with the requirement specified in paragraph (b) is monitored, the results of that monitoring are reviewed and planning is updated accordingly;
- (d) the health and vitality of ecosystems is maintained, in particular by—
- (i) adopting plans to maintain or increase the health and vitality of ecosystems;
 - (ii) adopting plans to deal with natural processes or events such as fires, pests and diseases; and
 - (iii) taking adequate measures to protect the area from unauthorised activities such as illegal logging, mining and encroachment;
- (e) biodiversity is maintained, in particular by—
- (i) implementing safeguards to protect rare, threatened and endangered species;
 - (ii) conserving key ecosystems in their natural state; and
 - (iii) protecting features and species of outstanding or exceptional value;
- (f) those responsible for the management of the area (and any contractors engaged by them) comply with local and national laws relating to health and safety and the welfare of workers;
- (g) those responsible for the management of the area have regard to—
- (i) legal, customary and traditional rights of tenure and land use;
 - (ii) mechanisms for resolving grievances and disputes including those relating to tenure and land use rights, forest or land management practices and working conditions; and
 - (iii) safeguarding the health and safety and rights of workers;
- (h) there is regular assessment of the extent to which those responsible for the management of the area have met the requirements specified in paragraphs (a) to (g).

6. Material added to solid biomass for an exempt purpose shall be disregarded for the purposes of paragraph 4.

7. For the purposes of paragraph 5, “Forest Europe Sustainable Forest Management Criteria” means the criteria for sustainable forest management in Lisbon Resolution L2 of the third Ministerial conference on the Protection of Forests in Europe held in June 1998⁽¹⁶⁾.

⁽¹⁵⁾ OJ L 309 24.11.2009, p71.

⁽¹⁶⁾ Lisbon Resolution L2 is entitled “Pan-European Criteria, Indicators and Operational Level Guidelines for Sustainable Forest Management”. Copies are available at http://www.foresteurope.org/ministerial_conferences/lisbon1998.

PART 3

Land criteria for other solid biomass including energy crops

8. Solid biomass which is not wood or derived wholly from wood, or which is an energy crop, meets the land criteria if it—

- (a) was not obtained from a protected source;
- (b) was an energy crop in respect of which financial assistance was paid under the Energy Crops Regulations 2000⁽¹⁷⁾ or under an equivalent financial assistance scheme;
- (c) was residue (other than residue from agriculture, aquaculture, fisheries or forestry).

9. Material added to solid biomass for an exempt purpose shall be disregarded for the purposes of paragraph 8.

10. Solid biomass is obtained from a protected source if it is obtained from—

- (a) land which at any time during or after January 2008 was primary forest;
- (b) except where paragraph 11 applies, land which at any time during or after January 2008 was designated for nature protection purposes;
- (c) highly biodiverse grassland unless the harvesting is necessary to preserve the grassland status;
- (d) except where paragraph 12 applies, land which at any time during January 2008 was peatland;
- (e) a former continuously forested area; or
- (f) a former wetland area.

11. This paragraph applies if the production of the solid biomass did not interfere with the nature protection purposes for which the land was designated.

12. This paragraph applies if the cultivation and harvesting of the solid biomass did not involve the drainage of previously undrained soil.

SCHEDULE 5

Regulations 49(7) and 89

Information to be provided to the Authority where solid biomass is used for combustion or production of biomethane

1. This Schedule specifies the information that a participant is required to provide under regulation 49(7).

2. The information is information identifying—

- (a) the material from which the solid biomass was composed;
- (b) the form of the solid biomass;
- (c) its mass;
- (d) whether the solid biomass was a by-product of a process;
- (e) whether the solid biomass was derived from waste;
- (f) where the solid biomass was plant matter or derived from plant matter, the country where the plant matter was grown;

⁽¹⁷⁾ S.I. 2000/3042, revoked by S.I. 2014/3263.

- (g) where the information specified in paragraph (f) is not known or the solid biomass was not plant matter or derived from plant matter, the country from which the operator obtained the solid biomass;
 - (h) whether any of the solid biomass used was an energy crop or derived from an energy crop and if so—
 - (i) the proportion of the consignment which was or was derived from the energy crop, and
 - (ii) the type of energy crop in question;
 - (i) whether the solid biomass or any matter from which it was derived was certified under an environmental quality assurance scheme and, if so, the name of the scheme;
 - (j) where the solid biomass was plant matter or derived from plant matter, the use to which the land on which the plant matter was grown has been put since 30th November 2005.
3. The information specified in paragraph 2 must be collated by reference to the following places of origin—
- (a) United States of America or Canada;
 - (b) the European Union;
 - (c) other.

SCHEDULE 6

Regulations 60 and 62

Tariffs

Tariffs

<i>Tariff name</i>	<i>Source of energy and technology</i>	<i>Installation capacity</i>	<i>Tariff (pence/kWh)</i>
Biomass	Solid biomass including solid biomass contained in waste (including CHP systems, other than new solid biomass CHP systems, which generate heat and power from solid biomass including solid biomass contained in waste)	All capacities	Tier 1: 3.05 Tier 2: 2.14
New solid biomass CHP systems	Solid biomass (excluding solid biomass contained in waste) used in CHP systems which comply with the requirements in regulation 13	All capacities	4.42
Deep geothermal	Deep geothermal energy including CHP systems generating heat and power from such energy	All capacities	5.38

<i>Tariff name</i>	<i>Source of energy and technology</i>	<i>Installation capacity</i>	<i>Tariff (pence/kWh)</i>
Small biogas	Biogas (including CHP systems which generate heat and power from biogas)	Below 200kWth	4.64
Medium biogas	Biogas (including CHP systems which generate heat and power from biogas)	Above 200kWth and above, but below 600kWth	3.64
Large biogas	Biogas (including CHP systems which generate heat and power from biogas)	600kWth and above	1.36
Solar thermal	Solar collectors	All capacities	10.75
Small ground source heat pumps	Ground source heat pumps including shared ground loop systems	Below 100kWth	Tier 1: 9.36 Tier 2: 2.79
Large ground source heat pumps	Ground source heat pumps including shared ground loop systems	100kWth and above	Tier 1: 9.36 Tier 2: 2.79
Air source heat pumps	Air source heat pumps	All capacities	2.69
Biomethane	Biomethane		Tier 1: 5.60 Tier 2: 3.29 Tier 3: 2.53

SCHEDULE 7

Regulation 60

Degression

Calculation of B

1.—(1) For the purposes of regulation 60, B is calculated in relation to a tariff category and an assessment date as follows.

(2) For the purposes of this paragraph—

- (a) the first test is met in relation to an assessment date in the first column of Table 1 if the forecast for total expenditure as at that date exceeds the figure specified for that assessment date in the corresponding entry in the second column of Table 1;
- (b) the second test is met in relation to an assessment date if C, as calculated in accordance with paragraph 2 of this Schedule, is 0.10 or more.

(3) B is 0 unless the circumstances set out in sub-paragraph (4) apply.

(4) B is 0.05 if, in relation to the assessment date—

- (a) the first test is met; and
- (b) the second test is met.

Calculation of C

2.—(1) For the purposes of regulation 60, C is calculated in relation to a tariff category and an assessment date as follows.

(2) For the purposes of this paragraph—

- (a) the first test is met in relation to an assessment date in the first column of the relevant table if, as at that assessment date, the forecast for expenditure in relation to that tariff category exceeds the figure specified for that assessment date in the corresponding entry in the second column of that table;
- (b) the second test is met in relation to an assessment date if, as at that assessment date, the increase in expenditure forecast applicable to that tariff category is at least 50% of, but less than 150% of, the figure specified for that assessment date in the corresponding entry in the third column of the relevant table (“the anticipated increase figure”);
- (c) the third test is met in relation to an assessment date if, as at that assessment date, the increase in expenditure forecast applicable to that tariff category is at least 150% of the anticipated increase figure;
- (d) in relation to an assessment date other than the assessment date which falls on 30th April 2018, the fourth test is met if during the tariff period that immediately preceded the tariff period in which the assessment date falls, the value of C applicable to that tariff category was 0.10 or more,

where the “relevant table” means whichever of Tables 2 to 9 in this Schedule is applicable to that tariff category.

(3) C is 0 unless the circumstances set out in sub-paragraph (4) or (5) (a), (b) or (c) apply.

(4) In relation to the assessment date which falls on 30th April 2018, C is 0.10 if—

- (a) the first test is met; and
- (b) the second or third test is met.

(5) In relation to any subsequent assessment date—

- (a) C is 0.10 if—
 - (i) the first test is met; and
 - (ii) the second test is met, whether or not the fourth test is met;
- (b) C is 0.10 if in relation to the assessment date—
 - (i) the first test is met; and
 - (ii) the third test is met but the fourth test is not met; and
- (c) C is 0.20 if in relation to the assessment date—
 - (i) the first test is met;
 - (ii) the third test is met; and
 - (iii) the fourth test is met.

Table 1**Total expenditure**

<i>Assessment date</i>	<i>Total expenditure anticipated for subsequent year (£million)</i>
30th April 2018	760.32
31st July 2018	782.43
31st October 2018	809.90
31st January 2019	837.75
30th April 2019	866.53
31st July 2019	894.04
31st October 2019	920.70
31st January 2020	946.55
30th April 2020	967.99
31st July 2020	983.66
31st October 2020	997.53
Any date after 30th January 2021	1,009.26

Table 2**Forecast for expenditure: plants which generate heat from solid biomass**

<i>Assessment date</i>	<i>Expenditure threshold when calculating C for the purposes of regulation 60 (£million)</i>	<i>Anticipated increase in expenditure since previous assessment date (£million)</i>
30th April 2018	404.34	3.33
31st July 2018	407.67	3.33
31st October 2018	411.00	3.33
31st January 2019	414.34	3.33
30th April 2019	417.67	3.33
31st July 2019	421.00	3.33
31st October 2019	424.33	3.33
31st January 2020	427.67	3.33
30th April 2020	431.00	3.33
31st July 2020	434.33	3.33
31st October 2020	437.66	3.33
Any date after 30th January 2021	441.00	3.33

Table 3**Forecast for expenditure: CHP systems**

<i>Assessment date</i>	<i>Expenditure threshold when calculating C for the purposes of regulation 60 (£million)</i>	<i>Anticipated increase in expenditure since previous assessment date (£million)</i>
30th April 2018	87.39	0.72
31st July 2018	88.10	0.72
31st October 2018	88.82	0.72
31st January 2019	89.54	0.72
30th April 2019	90.26	0.72
31st July 2019	90.98	0.72
31st October 2019	91.69	0.72
31st January 2020	92.41	0.72
30th April 2020	93.13	0.72
31st July 2020	93.85	0.72
31st October 2020	94.57	0.72
Any date after 30th January 2021	95.29	0.72

Table 4**Forecast for expenditure: ground source heat pumps and shared ground loop systems with an installation capacity of 100kWth or above**

<i>Assessment date</i>	<i>Expenditure threshold when calculating C for the purposes of regulation 60 (£million)</i>	<i>Anticipated increase in expenditure since previous assessment date (£million)</i>
30th April 2018	17.67	0.15
31st July 2018	17.82	0.15
31st October 2018	17.96	0.15
31st January 2019	18.11	0.15
30th April 2019	18.25	0.15
31st July 2019	18.40	0.15
31st October 2019	18.54	0.15
31st January 2020	18.69	0.15
30th April 2020	18.83	0.15
31st July 2020	18.98	0.15
31st October 2020	19.12	0.15

<i>Assessment date</i>	<i>Expenditure threshold when calculating C for the purposes of regulation 60 (£million)</i>	<i>Anticipated increase in expenditure since previous assessment date (£million)</i>
Any date after 30th January 2021	19.27	0.15

Table 5

Forecast for expenditure: ground source heat pumps and shared ground loop systems with an installation capacity of below 100kWth and air source heat pumps

<i>Assessment date</i>	<i>Expenditure threshold when calculating C for the purposes of regulation 60 (£million)</i>	<i>Anticipated increase in expenditure since previous assessment date (£million)</i>
30th April 2018	6.25	0.53
31st July 2018	6.78	0.53
31st October 2018	7.34	0.56
31st January 2019	7.94	0.60
30th April 2019	8.58	0.65
31st July 2019	9.22	0.64
31st October 2019	9.86	0.64
31st January 2020	10.53	0.66
30th April 2020	11.23	0.70
31st July 2020	11.94	0.71
31st October 2020	12.65	0.71
Any date after 30th January 2021	13.37	0.72

Table 6

Forecast for expenditure: plants which use solar collectors

<i>Assessment date</i>	<i>Expenditure threshold when calculating C for the purposes of regulation 60 (£million)</i>	<i>Anticipated increase in expenditure since previous assessment date (£million)</i>
30th April 2018	1.30	0.10
31st July 2018	1.40	0.10
31st October 2018	1.49	0.10
31st January 2019	1.59	0.10
30th April 2019	1.68	0.10
31st July 2019	1.78	0.09
31st October 2019	1.87	0.09

<i>Assessment date</i>	<i>Expenditure threshold when calculating C for the purposes of regulation 60 (£million)</i>	<i>Anticipated increase in expenditure since previous assessment date (£million)</i>
31st January 2020	1.97	0.09
30th April 2020	2.06	0.09
31st July 2020	2.16	0.09
31st October 2020	2.25	0.09
Any date after 30th January 2021	2.35	0.09

Table 7

Forecast for expenditure: plants which generate heat from biogas with a capacity below 600kWth

<i>Assessment date</i>	<i>Expenditure threshold when calculating C for the purposes of regulation 60 (£million)</i>	<i>Anticipated increase in expenditure since previous assessment date (£million)</i>
30th April 2018	55.75	0.99
31st July 2018	56.73	0.99
31st October 2018	57.73	0.99
31st January 2019	58.73	1.00
30th April 2019	59.74	1.01
31st July 2019	60.62	0.88
31st October 2019	61.51	0.89
31st January 2020	62.40	0.89
30th April 2020	63.29	0.90
31st July 2020	64.19	0.89
31st October 2020	65.09	0.90
Any date after 30th January 2021	66.00	0.91

Table 8

Forecast for expenditure: producers of biomethane for injection and plants which generate heat from biogas with a capacity of 600kWth and above;

<i>Assessment date</i>	<i>Expenditure threshold when calculating C for the purposes of regulation 60 (£million)</i>	<i>Anticipated increase in expenditure since previous assessment date (£million)</i>
30th April 2018	388.86	3.20
31st July 2018	392.06	3.20

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: The Renewable Heat Incentive Scheme Regulations 2018 No. 611

<i>Assessment date</i>	<i>Expenditure threshold when calculating C for the purposes of regulation 60 (£million)</i>	<i>Anticipated increase in expenditure since previous assessment date (£million)</i>
31st October 2018	395.25	3.20
31st January 2019	398.45	3.20
30th April 2019	401.64	3.20
31st July 2019	404.84	3.20
31st October 2019	408.04	3.20
31st January 2020	411.23	3.20
30th April 2020	414.43	3.20
31st July 2020	417.62	3.20
31st October 2020	420.82	3.20
Any date after 30th January 2021	424.02	3.20

Table 9

Forecast for expenditure: deep geothermal plants

<i>Assessment date</i>	<i>Expenditure threshold when calculating C for the purposes of regulation 60 (£million)</i>	<i>Anticipated increase in expenditure since previous assessment date (£million)</i>
30th April 2018	3.17	0.03
31st July 2018	3.20	0.03
31st October 2018	3.23	0.03
31st January 2019	3.25	0.03
30th April 2019	3.28	0.03
31st July 2019	3.30	0.03
31st October 2019	3.33	0.03
31st January 2020	3.36	0.03
30th April 2020	3.38	0.03
31st July 2020	3.41	0.03
31st October 2020	3.43	0.03
Any date after 30th January 2021	3.46	0.03