
STATUTORY INSTRUMENTS

2012 No. 2782

The Feed-in Tariffs Order 2012

PART 1

Introductory provisions

Interpretation

2.—(1) In this Order—

“the Act” means the Energy Act 2008;

“the 1989 Act” means the Electricity Act 1989 ^{M1};

“accreditation” means approval by the Authority of an eligible installation as an accredited FIT installation under Part 3, unless the context otherwise requires;

“accredited FIT installation” means an eligible installation which has been given accreditation;

“anaerobic digestion” means the bacterial fermentation of organic material in the absence of free oxygen (excluding anaerobic digestion of sewage and material in a landfill);

“the Authority” means the Gas and Electricity Markets Authority;

“central FIT register” means the register kept and maintained by the Authority in accordance with article 21;

[^{F1}“commissioning date”, in relation to an installation, means the date on which the installation is commissioned;]

“community energy installation” has the meaning given in article 11;

[^{F2}“community organisation” has the meaning given in article 11;]

“deemed export payment” means the payment made to a FIT generator or nominated recipient by a FIT licensee in respect of a deemed export of electricity;

“distribution system” has the same meaning as in section 4(4) of the 1989 Act ^{M2};

“electricity supply licence” means a licence granted by the Authority under section 6(1)(d) of the 1989 Act;

“energy performance certificate” has the same meaning as in—

(a) [^{F3}the Energy Performance of Buildings (England and Wales) Regulations 2012;] in relation to a building in England or Wales; and

(b) the Energy Performance of Buildings (Scotland) Regulations 2008 ^{M3}, in relation to a building in Scotland;

“extension” means an increase in the capacity of an installation to generate electricity;

“FIT” means feed-in tariff;

“grant from public funds” means a grant made by a public authority or by any person distributing funds on behalf of a public authority;

“grid connection” means a connection between a generating installation and a transmission system or distribution system for the purpose of enabling electricity to be conveyed from the installation to that system;

“hydro generating station” means a generating installation driven by water, except for such an installation—

- (a) driven by waves, ocean currents or geothermal sources;
- (b) driven by tidal flows, unless also driven partly by non-tidal flows from a water course; or
- (c) where the hydrostatic head of the water has been increased by pumping;

“levelisation fund” means the fund maintained under article 25;

“licensee” means a person who is a holder of a licence under section 6(1)(d) of the 1989 Act;

[^{F4}“MCS”, except in Schedule A1, means the Microgeneration Certification Scheme or equivalent schemes accredited in accordance with EN 45011(2) or EN ISO/IEC 17065:2012(3) which certify microgeneration products and installers in accordance with consistent standards;]

“MCS certificate” means a certificate given under the MCS;

[^{F1}“MCS-certified installation” has the meaning set out in Schedule A1 to this Order;]

[^{F5}“mutualisation distribution”, “mutualisation notice” and “mutualisation payment” have the meaning given by article 30A(3);]

[^{F1}“pause period” has the meaning given in article 8A;]

“ROO” means the Renewables Obligation Order 2009 ^{M4} in relation to an installation in England and Wales, and the Renewables Obligation (Scotland) Order 2009 ^{M5} in relation to an installation in Scotland;

“school installation” has the meaning given in article 12;

“Standard Licence Condition 33” and “Standard Licence Condition 34” mean the conditions so numbered in the standard conditions of electricity supply licences ^{M6};

“tariff code” has the meaning given in article 13;

^{F6} ...

“transmission system” has the same meaning as in section 4(4) of the 1989 Act ^{M7}.

[^{F7}“working day” means any day other than a Saturday or a Sunday, Christmas Day, Good Friday or a day which is a bank holiday within the meaning of the Banking and Financial Dealings Act 1971.]

(2) In this Order the following expressions have the meanings given to them in Schedule A to Standard Licence Condition 33—

- “commissioned”;
- “confirmation date”;
- “declared net capacity”;
- “deemed export”;
- “eligibility date”;
- “eligible installation”;
- “eligible low-carbon energy source”;
- “energy efficiency requirement”;
- “export”;
- “export meter”;

“export payment”;
“export tariff”;
“FIT generator”;
“FIT licensee”;
“FIT notification”;
“FIT payments”;
“FIT scheme”;
“FIT year”;
“generation meter”;
[^{F8}“generation meter reading”];
“generation payment”;
“generation tariff”;
[^{F9}“insolvency event”]
[^{F9}“mandatory FIT licensee”]
^{F10}
...
“MCS-certified registration”;
“MCS-FIT technology”;
“nominated recipient”;
[^{F11}“qualifies for accreditation;”]
“statement of FIT terms”;
“tariff date”;
[^{F12}“tariff period”];
“total installed capacity”.
[^{F9}“voluntary FIT licensee”]

[^{F13}(3) In this Order—

“last resort supply direction” has the meaning given to it in the standard conditions of electricity supply licences; and

“stand-alone solar photovoltaic” has the meaning given to it in Annex 3 to Schedule A to Standard Licence Condition 33 of the standard conditions of electricity supply licences.]

[^{F14}(4) In this Order, a reference to a particular description of eligible installations is a reference to eligible installations of one of the descriptions in the first column of the table in Schedule 1A.]

Textual Amendments

- F1** Words in art. 2 inserted (15.1.2016) by [The Feed-in Tariffs \(Amendment\) \(No. 3\) Order 2015 \(S.I. 2015/2045\)](#), arts. 1, **3(a)(ii)** (with art. 24)
- F2** Words in art. 2(1) inserted (1.4.2015) by [The Feed-in Tariffs \(Amendment\) Order 2015 \(S.I. 2015/35\)](#), arts. 1, **3(a)**
- F3** Words in art. 2(1) substituted (1.7.2013) by [The Feed-in Tariffs \(Amendment\) Order 2013 \(S.I. 2013/1099\)](#), arts. 1, **3(2)(a)**
- F4** Words in art. 2(1) substituted (15.1.2016) by [The Feed-in Tariffs \(Amendment\) \(No. 3\) Order 2015 \(S.I. 2015/2045\)](#), arts. 1, **3(a)(i)** (with art. 24)

- F5** Words in art. 2(1) inserted (1.7.2013) by [The Feed-in Tariffs \(Amendment\) Order 2013](#) (S.I. 2013/1099), arts. 1, [3\(2\)\(b\)](#)
- F6** Words in art. 2(1) omitted (20.3.2017) by virtue of [The Feed-in Tariffs \(Amendment\) Order 2017](#) (S.I. 2017/131), arts. 1, [3\(a\)](#)
- F7** Words in art. 2(1) inserted (1.7.2013) by [The Feed-in Tariffs \(Amendment\) Order 2013](#) (S.I. 2013/1099), arts. 1, [3\(2\)\(c\)](#)
- F8** Words in art. 2(2) inserted (20.3.2017) by [The Feed-in Tariffs \(Amendment\) Order 2017](#) (S.I. 2017/131), arts. 1, [3\(b\)\(i\)](#)
- F9** Words in art. 2(2) inserted (1.7.2013) by [The Feed-in Tariffs \(Amendment\) Order 2013](#) (S.I. 2013/1099), arts. 1, [3\(3\)](#)
- F10** Words in art. 2(2) omitted (15.1.2016) by virtue of [The Feed-in Tariffs \(Amendment\) \(No. 3\) Order 2015](#) (S.I. 2015/2045), arts. 1, [3\(b\)](#) (with art. 24)
- F11** Words in art. 2(2) inserted (31.3.2016) by [The Feed-in Tariffs \(Amendment\) Order 2016](#) (S.I. 2016/319), arts. 1, [3](#)
- F12** Words in art. 2(2) inserted (20.3.2017) by [The Feed-in Tariffs \(Amendment\) Order 2017](#) (S.I. 2017/131), arts. 1, [3\(b\)\(ii\)](#)
- F13** Art. 2(3) substituted (1.4.2015) by [The Feed-in Tariffs \(Amendment\) Order 2015](#) (S.I. 2015/35), arts. 1, [3\(b\)](#)
- F14** Art. 2(4) inserted (15.1.2016) by [The Feed-in Tariffs \(Amendment\) \(No. 3\) Order 2015](#) (S.I. 2015/2045), arts. 1, [3\(c\)](#) (with art. 24)

Marginal Citations

- M1** [1989 c.29](#).
- M2** The definition of “distribute” in section 4(4) of the 1989 Act (which explains the meaning of “distribution system”) was inserted by the [Utilities Act 2000](#) (c.27), section 28(3).
- M3** [S.S.I 2008/309](#), amended by [S.S.I. 2012/208](#); there are other amending instruments but none is relevant.
- M4** [S.I. 2009/785](#), amended by [S.I. 2010/1107](#), [S.I. 2011/984](#) and [S.I. 2011/988](#).
- M5** [S.S.I. 2009/140](#), amended by [S.S.I. 2009/276](#), [S.S.I. 2010/147](#), [S.S.I. 2011/225](#) and [S.S.I. 2011/226](#).
- M6** The standard conditions of electricity supply licences are at: www.ofgem.gov.uk. Standard Conditions 33 and 34 were inserted with effect from 1st April 2010, and the Schedule to Standard Condition 33 was substituted with effect from 1st December 2012, by modifications made under section 41 of the Act. Copies are available from the Department of Energy and Climate Change, 3 Whitehall Place, London SW1A 2AW.
- M7** The definition of “transmission system” was inserted by the [Energy Act 2004](#) (c.20), section 135(4).

Changes to legislation:

There are currently no known outstanding effects for the The Feed-in Tariffs Order 2012, Section 2.