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STATUTORY INSTRUMENTS

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**2012 No. 2999**

**The Climate Change Agreements  
(Eligible Facilities) Regulations 2012**

**Eligible Facilities**

**3.—(1)** An installation or a site is to be taken to be a facility for the purposes mentioned in paragraph 50(1) of Schedule 6 to the Act only if—

- (a) at least 70% of the reckonable energy supplied to the installation or to the site is intended to be used in the installation, installations or parts of installations on the site; and
- (b) the taxable commodities supplied to the installation or to the site by taxable supplies in the following 12 month period are intended to be burned (or, in the case of electricity, consumed)—
  - (i) in the installation, installations or part of installations on the site; or
  - (ii) on the site where the installation, installations or parts of installations are situated.

(2) For the purposes of paragraph (1)(a), supply or use of reckonable energy during the previous 12 month period must be used to determine the intended supply or use of reckonable energy in the following 12 month period.