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STATUTORY INSTRUMENTS

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**2016 No. 1246**

**The Contracts for Difference (Allocation)  
(Excluded Sites) Amendment Regulations 2016**

**Amendment to regulation 14A**

**4.—(1)** Regulation 14A(1) (temporary site exclusions and exemption certificates) is amended as follows.

(2) Replace paragraph (1)(b) with the following—

“(b) a CFD was entered into and was subsequently terminated, and either or both of the following circumstances apply—

(i) the CFD was terminated on a date which is earlier than 13 months after the date on which the CFD notification was given in respect of the CFD; or

(ii) the reason for the termination was that the eligible generator failed to achieve the stages for delivery for that CFD unit which were required under the CFD to be met by the date determined in accordance with the CFD as the Milestone Delivery Date;

(each “a non-delivery case”).”

(3) In paragraph (2)—

(a) in sub-paragraph (a) replace “eligible generating station” with “CFD unit”; and

(b) replace sub-paragraph (b) with—

“(b) the application is made in—

(i) any allocation round where the commencement date of that round occurs in the period of 13 months beginning with the date on which the relevant CFD notification was given; or

(ii) the first allocation round to have a commencement date occurring between the end of that period and 24 months beginning with the date on which the relevant CFD notification was given.”

(4) In paragraph (6)—

(a) in the definition of “excluded site” replace “eligible generating station” with “CFD unit”;

(b) omit the definition of “exclusion period”.