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STATUTORY INSTRUMENTS

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**2021 No. 1335**

**ENERGY**

**The Green Gas Support Scheme Regulations 2021**

*Made - - - - 29th November 2021*

*Coming into force 30th November 2021*

**THE GREEN GAS SUPPORT SCHEME REGULATIONS 2021**

PART 1

Introductory

1. Citation, commencement and extent
2. Interpretation
3. The Green Gas Support Scheme

PART 2

Registration of participants and tariff guarantees

4. Application for tariff guarantee and budget allocation
5. Application for registration as a participant
6. Determination of application for registration and the central register
7. Treatment of grants from public funds
8. Additional capacity for biomethane production

PART 3

Ongoing obligations on participants

9. Ongoing participant obligations: biomethane
10. Ongoing participant obligations: general
11. Ongoing participant obligations: the provision of information
12. Ongoing participant obligations: sustainability
13. Ongoing participant obligations: sustainability audit reports

PART 4

Changes affecting participants

14. Review of registration following notification of a change in circumstances
15. Change of producer of biomethane

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16. Withdrawal of participant

## PART 5

### Periodic support payments

17. Interpretation of this Part
18. Periodic support payments
19. Publication of tariffs
20. Expenditure forecast statement and tariff change notice
21. Calculation and payment of periodic support payments to participants
22. Calculation of initial tariffs and tariff review
23. Calculation of A
24. Calculation of B
25. Calculation of subsequent tariffs
26. Tariff tiers
27. Periodic support payments to participants
28. Reconciliation payments for biomethane

## PART 6

### Compliance and enforcement: participants

29. Power to temporarily withhold periodic support payments to investigate alleged non-compliance
30. Power to withhold periodic support payments: further provisions
31. Power to reduce a participant's periodic support payments
32. Revocation of registration
33. Power to correct the level of tariff being paid to a participant
34. Overpayment notices and offsetting
35. Revocation of sanctions
36. Power to inspect equipment used to produce biomethane
37. Application of this Part in relation to former participant

## PART 7

### The levy

## CHAPTER 1

### Introductory

38. Scheme suppliers, provisionally exempt suppliers, and exempt suppliers
39. Calculation and publication of the levy rate

## CHAPTER 2

### Quarterly levy payments and levy credit payments

40. Calculation and notification of quarterly levy payments
41. Calculation of credit cover requirement
42. Levy credit payments
43. Letters of credit

## CHAPTER 3

### Payments to scheme suppliers

- 44. Distribution of interest on levy credit payments
- 45. Repayment of levy credit payments

#### PART 8

### Additional obligations on scheme suppliers

- 46. Additional scheme supplier obligations: general
- 47. Additional scheme supplier obligations: the provision of information
- 48. Additional scheme supplier obligations: daily meter point data

#### PART 9

### Changes affecting scheme suppliers

- 49. Former provisionally exempt suppliers
- 50. Exempt suppliers
- 51. Former scheme suppliers

#### PART 10

### Compliance and enforcement: scheme suppliers

- 52. Anticipated default notices
- 53. Enforcement notices
- 54. Interest
- 55. Draw down of credit cover
- 56. Mutualisation
- 57. Penalty notices
- 58. Recovery of unpaid amounts as a civil debt
- 59. Default register
- 60. Appeals
- 61. Application of this Part in relation to former scheme supplier

#### PART 11

### Administrative functions of the Authority

- 62. Right of review
- 63. Publication of guidance and scheme schedule
- 64. Provision of information to the Authority etc
- 65. Reporting obligations
- 66. Additional information
- 67. Power to use and disclose information
- 68. Notices
- Signature

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#### SCHEDULE 1 — Information required for registration

- 1. This Schedule specifies the information that may be required of...
- 2. The information is (as applicable to the applicant)—
- 3. Information specified in this Schedule must be provided in such...

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4. The costs of providing the information specified in this Schedule...

SCHEDULE 2 — Approval of schemes for listing sustainable fuels

1. Where the Secretary of State is satisfied that a scheme...
2. The requirements in this paragraph are that appropriate procedures have...
3. The requirements in this paragraph are— (a) that the feedstock...
4. The requirement in this paragraph is that the feedstock is,...
5. Where the Secretary of State approves a scheme under paragraph...
6. Where the Secretary of State is no longer satisfied that...
7. Where approval is revoked in accordance with paragraph 6, any...
8. In this Schedule— (a) “greenhouse gas criteria” has the meaning...

SCHEDULE 3 — Land criteria

PART 1 — Interpretation

1. (1) In this Schedule— “continuously forested area” means land of...

PART 2 — Land criteria for solid biomass which is wood or wholly derived from wood, excluding energy crops

2. Solid biomass which is wood or wholly derived from wood...
3. (1) For the purposes of paragraph 2, solid biomass which...
4. Material added to solid biomass for an exempt purpose is...
5. For the purposes of paragraph 3— (a) “integrated pest management”...

PART 3 — Land criteria for other solid biomass including energy crops

6. Solid biomass which is not wood or derived wholly from...
7. Material added to solid biomass for an exempt purpose is...
8. Solid biomass is obtained from a protected source if it...
9. This paragraph applies if the production of the solid biomass...
10. This paragraph applies if the cultivation and harvesting of the...

Explanatory Note