

## SCHEDULE 3

### Land criteria

## PART 3

### Land criteria for other solid biomass including energy crops

**6.** 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<sup>(1)</sup> or under an equivalent financial assistance scheme, or
- (c) was residue (other than residue from agriculture, aquaculture, fisheries or forestry).

**7.** Material added to solid biomass for an exempt purpose is disregarded for the purposes of paragraph 6.

**8.** 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 9 applies, land which at any time during or after January 2008 was designated for nature protection purposes,
- (c) highly biodiverse grassland unless harvesting is necessary to preserve the grassland status,
- (d) except where paragraph 10 applies, land which at any time during January 2008 was peatland,
- (e) a former continuously forested area, or
- (f) a former wetland area.

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

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

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(1) [S.I.2000/3042](#), revoked by [S.I. 2014/3263](#).