
STATUTORY INSTRUMENTS

2021 No. 76

**The Domestic Renewable Heat Incentive
Scheme and Renewable Heat Incentive
Scheme (Amendment) Regulations 2021**

PART 3

Amendment of the Renewable Heat Incentive Scheme Regulations 2018

CHAPTER 3

Amendment of Part 3

Amendment of regulation 30 (applications for accreditation)

12. In regulation 30 (applications for accreditation)—

(a) after paragraph (6) insert—

“(6A) The Authority may reject an application for accreditation if the Authority considers that—

- (a) the plant is materially different from the plant which was proposed in an extension application under regulation 3B;
- (b) there has been a material change in circumstances such that, had the extension application been made after the change, it would have been rejected;
- (c) the information on which the decision to grant the extension application was based was incorrect in a material particular;
- (d) the applicant failed to comply with any condition imposed under regulation 3B(7).

(6B) For the purpose of paragraph (6A)(a)—

- (a) the Authority may take into account such matters as are, in the Authority’s opinion, relevant, including—
 - (i) the location of the plant;
 - (ii) the installation capacity of the plant; and
 - (iii) the source of energy and technology or design of the plant;
- (b) a plant is materially different in a case where—
 - (i) the installation capacity is at least 10% greater or smaller than the installation capacity proposed in an extension application under regulation 3B; or
 - (ii) the installation capacity is such that a different tariff would apply.”;

(b) in paragraph (9), after “regulations” insert “3A,”;

(c) after paragraph (9) insert—

“(9A) Where a plant is accredited after Scheme closure following an extension application under regulation 3B, the tariff applicable at the tariff start date is the initial tariff which would have applied in accordance with regulation 60 had the tariff start date been the date on which the properly made extension application (within the meaning of regulation 3B(9)) was received by the Authority.”.

Amendment of regulation 32 (producers of biomethane)

13. In regulation 32 (producers of biomethane), in paragraph (10)—
- (a) after “regulations” insert “3A,”;
 - (b) in subparagraph (e), for “such” substitute “the tariff end date and such other”.

Insertion of regulation 32A

14. After regulation 32 (producers of biomethane) insert—

“Interaction with the Renewable Transport Fuel Obligation

32A.—(1) This regulation applies in relation to a participant who is a producer of biomethane for injection.

(2) No periodic support payments may be made to the participant in respect of any proportion of biomethane injected in a quarterly period where an RTF certificate has been issued under the Renewable Transport Fuel Obligations Order 2007(1) in respect of that proportion of biomethane.

(3) In this regulation, “RTF certificate” has the meaning given in section 127 of the Energy Act 2004(2).”.

Amendment of regulation 33 (preliminary accreditation)

15. In regulation 33 (preliminary accreditation), in paragraph (9), after “Part” insert “before Scheme closure”.

Amendment of regulation 34 (preliminary registration of biomethane producers)

16. In regulation 34 (preliminary registration of biomethane producers), in paragraph (9), after “Part” insert “before Scheme closure”.

(1) [S.I. 2007/3072](#), amended by [S.I. 2011/534](#), [2011/2937](#), [2018/374](#) and [2020/1541](#). There are other amending instruments but none is relevant.

(2) 2004, c. 20.