
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 7

Amendment of Part 7

Omission of regulations 64 and 65

27. Omit the following—

- (a) regulation 64 (periodic support payments for accredited RHI installations in simple systems in respect of which an application for accreditation was made before 24th September 2013);
- (b) regulation 65 (periodic support payments accredited RHI installations for complex systems in respect of which an application for accreditation was made before 24th September 2013).

Amendment of regulation 66 (periodic support payments for accredited RHI installations in respect of which an application for accreditation is made on or after 24th September 2013)

28. In regulation 66 (periodic support payments for accredited RHI installations in respect of which an application for accreditation is made on or after 24th September 2013)—

- (a) in the heading, omit the words after “installations”;
- (b) in paragraph (1), omit the words after “installation”;
- (c) in paragraph (2) after “72” insert “, 72A”.

Amendment of regulation 70 (periodic support payments for shared ground loop systems)

29. In regulation 70 (periodic support payments for shared ground loop systems), in paragraph (6), in the definition of “applicable period”, in paragraph (a), before sub-paragraph (i) insert—

- “(ai) the date on which the installation capacity of a shared ground loop system is modified under regulation 52A;”.

Amendment of regulation 71 (fossil fuel contamination of solid biomass and fossil fuel used for permitted ancillary purposes)

30. In regulation 71 (fossil fuel contamination of solid biomass and fossil fuel used for permitted ancillary purposes), in paragraphs (2) and (3) omit “64 to”.

Amendment of regulation 72 (fossil fuel contamination adjustment to periodic support payments for producers and combusters of biogas produced from gasification and pyrolysis)

31. In regulation 72 (fossil fuel contamination adjustment to periodic support payments for producers and combusters of biogas produced from gasification and pyrolysis), in paragraph (2) omit “64 to”.

Insertion of regulation 72A

32. After regulation 72 (fossil fuel contamination adjustment to periodic support payments for producers and combusters of biogas produced from gasification and pyrolysis) insert—

“Adjustment to periodic support payments for use of feedstock derived from fossil fuel in the production of biogas by anaerobic digestion and the production of biomethane

72A.—(1) This regulation applies to—

- (a) a participant producing biogas from anaerobic digestion in an accredited RHI installation; or
- (b) a participant producing biomethane for injection from biogas made from anaerobic digestion.

(2) Where, in accordance with regulation 40A, a participant uses feedstock derived from fossil fuel, the periodic support payment calculated in accordance with regulation 66 or 73 must be reduced pro rata to reflect the percentage of the energy content of biogas from the fossil fuel component of the feedstock used by the participant in the relevant quarterly period.”.

Amendment of regulation 73 (periodic support payments to producers of biomethane)

33. In regulation 73 (periodic support payments to producers of biomethane)—

- (a) in paragraph (1), after “31(2)” insert “, 32A”;
- (b) in paragraph (2)—
 - (i) in the definition of “eligible biomethane”, after “all biomethane” insert “or the notified proportion of biomethane”;
 - (ii) in the formula for determining eligible biomethane, in paragraph (a)(i), for “of all biomethane in kWh” substitute “(in kWh) of all biomethane or the notified proportion of biomethane”;
- (c) after paragraph (2) insert—

“(2A) In paragraph (2), “notified proportion of biomethane” means the proportion of biomethane which the participant specifies in a notice to the Authority as the proportion of the total amount of biomethane (in kWh) injected in a quarterly period which is to be taken into account when determining the amount of eligible biomethane for that quarterly period.

(2B) The notified proportion of biomethane must be taken into account in determining values C to G in the formula in paragraph (2).

(2C) A participant must notify the Authority of the total amount of biomethane (in kWh) injected in a quarterly period.”.

Amendment of regulation 77 (additional capacity for biomethane production)

34. In regulation 77 (additional capacity for biomethane production), in paragraph (4), for “32(10)(d)” substitute “32(10)(e)”.