

2022 No. 1247

EXITING THE EUROPEAN UNION

ELECTRICITY

ENERGY CONSERVATION

**The Guarantees of Origin of Electricity Produced from
Renewable Energy Sources and High-efficiency Cogeneration
(Amendment) (EU Exit) Regulations 2022**

Sift requirements satisfied 11th October 2022

Made - - - - 28th November 2022

Laid before Parliament 29th November 2022

Coming into force in accordance with regulation 1

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8(1) of the European Union (Withdrawal) Act 2018^(a).

The requirements of paragraph 3(2) of Schedule 7 to that Act (relating to the appropriate Parliamentary procedure for these Regulations) have been satisfied.

PART 1

Introduction

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Guarantees of Origin of Electricity Produced from Renewable Energy Sources and High-efficiency Cogeneration (Amendment) (EU Exit) Regulations 2022.

(2) This Part and Part 3 come into force on 1st January 2023.

(3) Part 2 comes into force on 1st April 2023.

(4) These Regulations extend to England and Wales and to Scotland.

PART 2

Electricity (Guarantees of Origin of Electricity Produced from Renewable Energy Sources) Regulations 2003

Amendment of the Electricity (Guarantees of Origin of Electricity Produced from Renewable Energy Sources) Regulations 2003

2. The Electricity (Guarantees of Origin of Electricity Produced from Renewable Energy Sources) Regulations 2003(a) are amended in accordance with regulations 3 to 5.

Amendment of regulation 2 (interpretation)

3.—(1) Regulation 2 is amended as follows.

(2) In paragraph (1)—

(a) in the definition of “guarantee of origin” omit “a member State or”;

(b) omit the definition of “non-Great Britain authority”;

(c) after the definition of “hydrothermal energy” insert—

““Northern Ireland authority” means a person in Northern Ireland corresponding to a competent authority;”.

Amendment of regulation 4 (request for issue of guarantees of origin and information required)

4.—(1) Regulation 4 is amended as follows.

(2) In paragraph (5)(b) omit “a member State or”.

Amendment of regulation 9 (recognition of guarantees of origin)

5.—(1) Regulation 9 is amended as follows.

(2) In paragraph (2) omit sub-paragraph (a).

(3) In paragraph (3)—

(a) in the opening words omit “a member State or”;

(b) in sub-paragraph (a) for “non-Great Britain authority” substitute “Northern Ireland authority”.

(4) In paragraph (4)(a) for “non-Great Britain authority” substitute “Northern Ireland authority”.

(5) In paragraph (5) omit “a member State or”.

(6) In paragraph (5) omit “a member State or”.

(a) S.I. 2003/2562; relevant amending instruments are S.I. 2010/2715 and 2018/1093.

PART 3

Guarantees of Origin of Electricity Produced from High-efficiency Cogeneration Regulations 2007

Amendment of the Guarantees of Origin of Electricity Produced from High-efficiency Cogeneration Regulations 2007

6. The Guarantees of Origin of Electricity Produced from High-efficiency Cogeneration Regulations 2007(a) are amended in accordance with regulations 7 and 8.

Amendment of regulation 2 (interpretation)

7.—(1) Regulation 2 is amended as follows.

(2) In regulation 2—

- (a) omit the definition of “Energy Efficiency Directive”;
- (b) in the definition of “guarantee of origin” for “(3) to (5)” substitute “(3) and (4)”.

Amendment of regulation 10 (recognition of CHPGOs)

8. In regulation 10 omit paragraphs (3)(a) and (5).

28th November 2022

Graham Stuart
Minister of State for Energy and Climate
Department for Business, Energy and Industrial Strategy

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by section 8(1) of the European Union (Withdrawal) Act 2018 (c. 16) in order to address deficiencies in retained EU law (in particular under section 8(2)(c)).

Part 2 amends the Electricity (Guarantees of Origin of Electricity Produced from Renewable Energy Sources) Regulations 2003 (S.I. 2003/2562) (the “2003 Regulations”). The 2003 Regulations provide for the Gas and Electricity Markets Authority to issue guarantees of origin (“GOOs”) in respect of electricity generated from renewable energy sources.

Part 3 amends the Guarantees of Origin of Electricity Produced from High-efficiency Cogeneration Regulations 2007 (S.I. 2007/292) (the “2007 Regulations”). The 2007 Regulations provide for the Secretary of State for Business, Energy and Industrial Strategy to issue GOOs in respect of electricity produced from high efficiency cogeneration (known in the UK as Combined Heat and Power).

As of 1st January 2021 and as a result of the UK’s withdrawal from the European Union, GOOs issued in the UK are no longer recognised by EU member States. However, the UK continued to recognise GOOs issued in EU member States. These Regulations remedy this deficiency by

(a) S.I. 2007/292; relevant amending instruments are S.I. 2014/1403 and 2018/1206. S.I. 2018/1206 was amended by S.I. 2020/849.

removing the obligations to recognise GOOs issued in an EU member State and by removing references to such GOOs being recognised.

An impact assessment has not been produced for these Regulations as no significant impact on business or the public or voluntary sectors is foreseen.

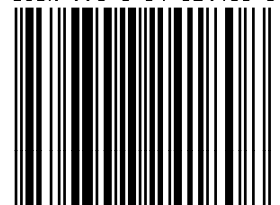
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