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STATUTORY INSTRUMENTS

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**2023 No. 127**

**ELECTRICITY**

**The Feed-in Tariffs (Amendment) Order 2023**

*Made* - - - - *7th February 2023*  
*Laid before Parliament* *8th February 2023*  
*Coming into force* - - *1st April 2023*

The Secretary of State, in exercise of the powers conferred by sections 43(3)(a) and 104(2) of the Energy Act 2008<sup>(1)</sup>, makes the following Order.

**Citation and commencement**

1. This Order may be cited as the Feed-in Tariffs (Amendment) Order 2023 and comes into force on 1st April 2023.

**Amendment to the Feed-in Tariffs Order 2012**

2.—(1) The Feed-in Tariffs Order 2012<sup>(2)</sup> is amended as follows.

(2) In article 27(6), in the definition of “relevant amount of electricity”—

(a) in sub-paragraph (c)—

(i) for “year 10 and each subsequent FIT year” substitute “years 10 to 13”;

(ii) at the end of paragraph (ii), omit “and”;

(b) in sub-paragraph (d)—

(i) for “year 10 and each subsequent FIT year” substitute “years 10 to 13”;

(ii) at the end insert “and”.

(c) after sub-paragraph (d) insert—

“(e) for FIT year 14 and each subsequent FIT year, the amount of electricity supplied by A to customers in Great Britain, less the amount of electricity supplied by A that is EII excluded electricity for that FIT year.”.

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(1) 2008 c. 32.

(2) S.I. 2012/2782 as amended by S.I. 2013/1099, S.I. 2015/2045, S.I. 2018/1092 and S.I. 2018/1380. There are other amendments not relevant to this Order.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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7th February 2023

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

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Feed-in Tariffs Order 2012 (the “2012 Order”).

Part 6 of the 2012 Order provides for an annual levelisation process, under which a licensed electricity supplier (a “licensee”) makes payments to, or receive payments from, the Gas and Electricity Markets Authority (the “Authority”) to ensure that the costs of participating in the feed-in tariffs scheme are proportionate to their market share in the electricity supply market in Great Britain. The annual levelisation payments are adjusted to take account of any periodic levelisation payments made under article 28.

The market share of a licensee is calculated in accordance with article 27 of the 2012 Order.

This Order amends the definition of “relevant amount of electricity” in article 27(6) (which is used to calculate the market share of a licensee) so that the capped amount of qualifying renewable electricity (defined in article 27A) supplied by the licensee to customers in Great Britain in a FIT year is no longer excluded from the Authority’s determination of the licensee’s market share in that FIT year.

The amendment will apply in FIT year 14, which starts on 1st April 2023 and ends on 31st March 2024, and in each subsequent FIT year.

An explanatory memorandum is available with this Order on [www.legislation.gov.uk](http://www.legislation.gov.uk).

A full impact assessment has not been produced for this Order as no, or no significant, impact on the private, voluntary or public sector is foreseen.