

Draft Regulations laid before Parliament under section 32L(2) of the Electricity Act 1989 and section 62(3) of the Energy Act 2013, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2021 No. ***

ENERGY

**The Combined Heat and Power Quality Assurance
(Temporary Modifications) Regulations 2021**

*Made - - - - - ***
Coming into force in accordance with regulation 1(2)*

The Secretary of State, in exercise of the powers conferred by section 32 of the Electricity Act 1989⁽¹⁾ (“the 1989 Act”) and section 57(6) of the Energy Act 2013⁽²⁾ (“the 2013 Act”), makes the following Regulations.

The Secretary of State has before making these Regulations—

- (a) in relation to the modification made by regulation 3, consulted those persons specified in section 32L(1)(a) and (b) of the 1989 Act, and for the purposes of subsection (1)(d) and (e) of that section respectively, such generators of electricity from renewable sources as the Secretary of State considered appropriate, and any such other persons as the Secretary of State considered appropriate; and
- (b) in relation to the modification made by regulation 2, consulted the Scottish Ministers and the Welsh Ministers and such other persons as the Secretary of State considered appropriate in accordance with section 62(11) of the 2013 Act.

In accordance with section 32L(2) of the 1989 Act and section 62(3) of the 2013 Act, a draft of these Regulations has been laid before and approved by a resolution of each House of Parliament.

Citation, commencement, application and extent

1.—(1) These Regulations may be cited as the Combined Heat and Power Quality Assurance (Temporary Modifications) Regulations 2021.

(2) These Regulations come into force on the day after the day on which they are made, but if they are made before 18th May 2021, they come into force on 18th May 2021.

(3) Any modification made by these Regulations has the same application and extent as the provision modified.

(1) 1989 c. 29; section 32 was substituted by section 37 of the Energy Act 2008 (c. 32), and amended by S.I. 2014/631.
(2) 2013 c. 32.

Modification of the Emissions Performance Standard Regulations 2015

2.—(1) The Emissions Performance Standard Regulations 2015⁽³⁾ are modified as follows.

(2) Regulation 2 (interpretation) is to be read, for the 12-month period beginning with the day on which these Regulations come into force, as if for the definition of “CHPQA standard” there were substituted—

““CHPQA standard” means the Combined Heat and Power Quality Assurance Standard, Issue 8, March 2021;”⁽⁴⁾.

Modification of the Renewables Obligation Order 2015

3.—(1) The Renewables Obligation Order 2015⁽⁵⁾ is modified as follows.

(2) Article 2(1) (interpretation) is to be read, for the 12-month period beginning with the day on which these Regulations come into force, as if for the definition of “CHPQA” there were substituted—

““CHPQA” means the Combined Heat and Power Quality Assurance Standard, Issue 8, March 2021 and Guidance Note 44 (Use of CHPQA in respect of the Renewables Obligation and Contracts for Difference), Issue 7, December 2018;”.

Date

Name
Parliamentary Under Secretary of State
Department for Business, Energy and Industrial
Strategy

(3) [S.I. 2015/933](#) as amended by [S.I. 2016/1108](#); there are other amendments to those Regulations but none is relevant.
(4) The Standard and its accompanying guidance notes are available at <https://www.gov.uk/government/publications/chpqa-standard> or in hard copy upon request from the Department for Business, Energy and Industrial Strategy at 1 Victoria Street, London SW1H 0ET.
(5) [S.I. 2015/1947](#) as amended by [S.I. 2016/1108](#); there are other amendments to that Order but none is relevant.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations modify, for the 12-month period beginning with the day on which they come into force, the Emissions Performance Standard Regulations 2015 ([S.I. 2015/933](#)) and the Renewables Obligation Order 2015 ([S.I. 2015/1947](#)). The purpose of the modifications is to update, for the period of 12 months beginning with the date on which these Regulations come into force, the definition of the Combined Heat and Power Quality Assurance Standard to refer to issue 8 of that Standard, which is available together with its accompanying guidance notes at <https://www.gov.uk/government/publications/chpqa-standard> or in hard copy upon request from the Department for Business, Energy and Industrial Strategy at 1 Victoria Street, London SW1H 0ET.

An impact assessment has not been prepared for this instrument since the modifications made by it will remain in force for no more than 12 months.