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DRAFT STATUTORY RULES OF NORTHERN IRELAND

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**2015 No.**

**The Renewable Heat Incentive Schemes  
(Amendment) Regulations (Northern Ireland) 2015**

**CHP systems accredited in relation to the Renewables Obligation.**

12. After regulation 38 insert—

“**38A.**—(1) No periodic support payments may be made in relation to any heat generated by any capacity of a CHP system to which paragraph (2) or (3) applies.

(2) This paragraph applies to capacity which generated heat and electricity before 1st May 2013 and which—

- (a) uses solid biomass or solid biomass contained in municipal waste to generate heat and electricity, and
- (b) forms part of a generating station which—
  - (i) is accredited under the NIRO, and
  - (ii) is or at any time since it was so accredited, has been a qualifying combined heat and power generating station within the meaning of article 2 of the Renewables Obligation Order.

(3) This paragraph applies to capacity which first generates heat and electricity on or after 1st October 2015 and—

- (a) which—
  - (i) uses solid biomass to generate heat and electricity;
  - (ii) forms part of a generating station which is accredited under the NIRO, and
  - (iii) is capacity in respect of which a declaration made in accordance with article 26(8) of the Renewables Obligation Order; has been made; or
- (b) which—
  - (i) uses solid biomass contained in municipal waste to generate heat and electricity;
  - (ii) forms part of a generating station which is accredited under the NIRO; and
  - (iii) forms part of a generating station which is or at any time since it was so accredited, has been a qualifying combined heat and power generating station within the meaning of article 2 of the Renewables Obligation Order.

(4) For the purpose of this regulation, “the Renewables Obligation Order” means the Renewables Obligation Order (Northern Ireland) 2009(1).”