
STATUTORY RULES OF NORTHERN IRELAND

2009 No. 154

The Renewables Obligation Order (Northern Ireland) 2009

PART 2

The Renewables Obligation

The renewables obligation

5.—(1) the renewables obligation is imposed on each electricity supplier supplying electricity in Northern Ireland (a “designated electricity supplier”).

(2) The renewables obligation is that, subject to Articles 40 and 41 each designated electricity supplier must, by the specified day, produce to the Authority, in respect of each megawatt hour of electricity that he supplies to customers in Northern Ireland during an obligation period—

- (a) subject to sub-paragraph (b), the number of renewables obligation certificates determined in accordance with Article 12;
- (b) where the obligation period commences on 1st April 2009, 0.035 renewables obligation certificates for each megawatt hour so supplied.

(3) To enable the number referred to in paragraph (2)(a) to be determined, the Department must first determine, for the obligation period in question, [F1calculations A and B] and the total number of renewables obligation certificates required to be produced by designated electricity suppliers in accordance with Articles 6 to 11.

(4) Where the number of renewable obligation certificates that a designated electricity supplier is required to produce by virtue of paragraph (2) is not a whole number, it is to be rounded to the nearest whole number (one-half being rounded upwards).

Textual Amendments

F1 Art. 5(3) text amended (1.4.2010) by [The Renewables Obligation \(Amendment\) Order \(Northern Ireland\) 2010 \(S.R. 2010/134\)](#), [art. 3](#)

Commencement Information

II Art. 5 in operation at 1.4.2009, see [art. 1](#)

Part of calculation A referable to Great Britain

6. The part of calculation A referable to Great Britain is the estimate of megawatt hours of electricity likely to be supplied to customers in Great Britain during a particular obligation period, as estimated by the Secretary of State under Article 6(1) of the Renewables Obligation Order 2009(1) (Part of calculation A referable to Great Britain), multiplied by the figure which corresponds to that particular period in the second column of Schedule 1.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Renewables Obligation Order (Northern Ireland) 2009. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Commencement Information

I2 Art. 6 in operation at 1.4.2009, see [art. 1](#)

Part of calculation A referable to Northern Ireland

7.—(1) Before the start of each obligation period identified in the first column of Schedule 1, (except for the first such period), the Department is to estimate, in megawatt hours, the total amount of electricity likely to be supplied to customers in Northern Ireland during that period by electricity suppliers designated under this Order.

(2) The figure representing the number of megawatt hours so estimated for an obligation period is to be multiplied by the figure which corresponds to that period in the third column of Schedule 1.

Commencement Information

I3 Art. 7 in operation at 1.4.2009, see [art. 1](#)

Calculation A

8.—(1) The product of the calculation referred to in Article 6, added to the product of the calculation in Article 7(2), is (for the obligation period to which those calculations relate) calculation A.

(2) Where calculation A is not a whole number, it is to be rounded to the nearest whole number (one-half being rounded upwards).

(3) References to calculation A in Articles 11 and 12 shall be construed accordingly.

Commencement Information

I4 Art. 8 in operation at 1.4.2009, see [art. 1](#)

Calculation B

9.—^[F2](1) Calculation B is the number of renewables obligation certificates likely to be issued in respect of renewable electricity for a particular obligation period, as estimated by the Secretary of State under Article 9(2) of the Renewables Obligation Order 2009, increased by—

- (a) in relation to the obligation period ending on 31st March 2011, 8 per cent; and
- (b) in relation to any other obligation period, 10 per cent.]

(2) Where calculation B is not a whole number, it is to be rounded to the nearest whole number (one-half being rounded upwards).

(3) References to calculation B in Articles 11 and 12 shall be construed accordingly.

(4) In this Article “renewable electricity” means electricity which is generated from renewable sources and in respect of which renewables obligation certificates may be issued.

Textual Amendments

F2 [Art. 9\(1\)](#) substituted (1.4.2010) by [The Renewables Obligation \(Amendment\) Order \(Northern Ireland\) 2010 \(S.R. 2010/134\)](#), [art. 4](#)

Commencement Information

I5 Art. 9 in operation at 1.4.2009, see [art. 1](#)

Calculation C

^{F3}**10.**

Textual Amendments

F3 Art. 10 omitted (1.4.2010) by virtue of [The Renewables Obligation \(Amendment\) Order \(Northern Ireland\) 2010 \(S.R. 2010/134\)](#), [art. 5](#)

Determining the number of renewables obligation certificates to be produced in an obligation period

11.—(1) Following the determination of [^{F4}calculations A and B] for an obligation period, the Department is to determine the total number of renewables obligation certificates required to be produced by designated suppliers (“the total obligation”) for that period in accordance with paragraphs (2) to (5).

(2) Where calculation A is [^{F4}equal to or] greater than calculation B for an obligation period, the total obligation for that period is calculation A.

(3) ^{F4}...Where calculation B is greater than calculation A for an obligation period, the total obligation for that period is calculation B.

^{F5}(4)

(5) References to the total obligation in Article 12 shall be construed accordingly.

^{F6}(6)

Textual Amendments

F4 Art. 11(1)-(3) text amended (1.4.2010) by [The Renewables Obligation \(Amendment\) Order \(Northern Ireland\) 2010 \(S.R. 2010/134\)](#), [art. 6\(1\)-\(4\)](#)

F5 Art. 11(4) omitted (1.4.2010) by virtue of [The Renewables Obligation \(Amendment\) Order \(Northern Ireland\) 2010 \(S.R. 2010/134\)](#), [art. 6\(5\)](#)

F6 Art. 11(6) omitted (1.4.2010) by virtue of [The Renewables Obligation \(Amendment\) Order \(Northern Ireland\) 2010 \(S.R. 2010/134\)](#), [art. 6\(6\)](#)

Commencement Information

I6 Art. 11 in operation at 1.4.2009, see [art. 1](#)

Determining the number of renewables obligation certificates to be produced by a designated electricity supplier in order to discharge his renewables obligation

12.—(1) Where the total obligation for an obligation period is calculation A, the number of renewables obligation certificates that a designated electricity supplier is required to produce in order to discharge his renewables obligation in respect of electricity that he supplies to customers in Northern Ireland during that period is, for each megawatt hour so supplied, the figure set out in the third column of Schedule 1 that corresponds to that period.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Renewables Obligation Order (Northern Ireland) 2009. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(2) Where the total obligation for an obligation period is calculation B, the number of renewables obligation certificates that a designated electricity supplier is required to produce in order to discharge his renewables obligation in respect of electricity that he supplies to customers in Northern Ireland during that period is, for each megawatt hour so supplied, equal to—

$$\frac{\text{Figure set out in third column of Schedule 1 for that period} \times \text{calculation B for that period}}{\text{calculation A for that period}}$$

^{F7}(3)

(4) The Department must publish, by the 1st October preceding an obligation period, the number of renewables obligation certificates that a designated electricity supplier is required to produce in respect of each megawatt hour of electricity that he supplies to customers in Northern Ireland during that period in order to discharge his renewables obligation for that period.

Textual Amendments

F7 Art. 12(3) omitted (1.4.2010) by virtue of [The Renewables Obligation \(Amendment\) Order \(Northern Ireland\) 2010 \(S.R. 2010/134\)](#), [art. 7](#)

Commencement Information

I7 Art. 12 in operation at 1.4.2009, see [art. 1](#)

Further provision in relation to the production of renewables obligation certificates

13.—(1) A designated electricity supplier may discharge his renewables obligation by the production to the Authority of a GBROC.

(2) A designated electricity supplier may discharge up to 25 per cent of his renewables obligation in respect of an obligation period by producing to the Authority renewables obligation certificates relating to electricity supplied in the immediately preceding obligation period.

(3) Subject to paragraphs (4) and (5), no more than 12.5 per cent of a designated electricity supplier’s renewables obligation may be satisfied by the production of renewables obligation certificates issued in respect of electricity generated by a generating station in any month during which it generated electricity partly from fossil fuel and partly from biomass.

(4) Paragraph (3) does not apply to the 1st April 2009 to 31st March 2010 obligation period where no more than 10 per cent of a designated electricity supplier’s renewables obligation may be satisfied by the production of renewable obligation certificates issued in respect of electricity generated by a generating station in any month during which it generated electricity partly from fossil fuel and partly from biomass.

(5) In the case of a renewables obligation certificate issued in respect of electricity generated by a generating station in any month where it generated electricity partly from fossil fuel and partly from biomass the limits set out in paragraph (3) or (4) do not apply to the production of those certificates if and to the extent that the electricity in respect of which they were issued was generated by—

- (a) co-firing of biomass with CHP;
- (b) co-firing of energy crops; or
- (c) co-firing of energy crops with CHP.

(6) In determining how electricity has been generated for the purposes of paragraphs (3) to (5), no account is to be taken of any fossil fuel which the generating station uses for permitted ancillary purposes.

(7) A designated electricity supplier must not produce to the Authority a renewables obligation certificate which has previously been or is produced to the Great Britain authority under a GBRO Order.

(8) In this Article—

“co-firing of biomass with CHP” “co-firing of energy crops” and “co-firing of energy crops with CHP” have the same meaning as in Schedule 2

Commencement Information

18 Art. 13 in operation at 1.4.2009, see [art. 1](#)

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Renewables Obligation Order (Northern Ireland) 2009. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Regulations modified by S.I. 2019/289, reg. 5, Sch. 3 (as amended) by S.R. 2020/284 reg. 3(3)(5)
- 34(9)(10)(11) art. 34(6)(7)(8) renumbered as art. 34(9)(10)(11) by S.R. 2013/116 art. 25(4)

Changes and effects yet to be applied to the whole Rule associated Parts and Chapters:

Whole provisions yet to be inserted into this Rule (including any effects on those provisions):

- Sch. A1A inserted by S.R. 2016/84 art. 9Sch. 1
- Sch. A2 para. 1(1) Sch. A2 para. 1 renumbered as para. 1(1) by S.I. 2017/1234 reg. 16(2)
- Sch. A1A2 inserted by S.R. 2011/169 Sch. 1
- Sch. A2 para. 3(8A) inserted by S.R. 2014/146 art. 7(3)
- Sch. A2 para. 1(2) inserted by S.I. 2017/1234 reg. 16(3)
- Sch. A1 para. 5 omitted by S.I. 2017/1234 reg. 15(3)
- Sch. A2 para. 3(1) substituted by S.R. 2014/146 art. 7(2)
- Sch. A1 para. 6 substituted by S.I. 2017/1234 reg. 15(4)
- Sch. A2 substituted for Sch. by S.R. 2016/84 art. 10Sch. 2
- Sch. A1 para. 1 words omitted by S.I. 2017/1234 reg. 15(2)(a)
- Sch. A1 para. 1 words substituted by S.I. 2017/1234 reg. 15(2)(b)
- Sch. 2 Pt. 2A-2E inserted by S.R. 2013/116 art. 33
- Sch. 2 Pt. 2C-2E substituted by S.R. 2013/174 art. 3
- Sch. 2 art. 31(3) substituted for Sch. 2 Pt. 2-5 by S.R. 2010/134 art. 17(b)
- Sch. 2 Pt. 1 para. 1 comma and words omitted by S.R. 2013/116 art. 31(11)(b)
- Sch. 2 Pt. 1 para. 1(2)(c)(d) inserted by S.R. 2013/116 art. 31(15)
- Sch. 2 Pt. 1 para. 1(2)(a) word omitted by S.R. 2013/116 art. 31(14)
- Sch. 2 Pt. 1 para. 1 words inserted by S.R. 2013/116 art. 31(2)
- Sch. 2 Pt. 1 para. 1 words inserted by S.R. 2013/116 art. 31(5)
- Sch. 2 Pt. 1 para. 1 words inserted by S.R. 2013/116 art. 31(11)(a)
- Sch. 2 Pt. 1 para. 1 words omitted by S.R. 2013/116 art. 31(4)
- Sch. 2 Pt. 1 para. 1 words omitted by S.R. 2013/116 art. 31(6)
- Sch. 2 Pt. 1 para. 1 words omitted by S.R. 2013/116 art. 31(10)
- Sch. 2 Pt. 1 para. 1 words omitted by S.R. 2013/116 art. 31(13)
- Sch. 2 Pt. 1 para. 1 words substituted by S.R. 2013/116 art. 31(3)
- Sch. 2 Pt. 1 para. 1 words substituted by S.R. 2013/116 art. 31(7)
- Sch. 2 Pt. 1 para. 1 words substituted by S.R. 2013/116 art. 31(8)
- Sch. 2 Pt. 1 para. 1 words substituted by S.R. 2013/116 art. 31(9)
- Sch. 2 Pt. 1 para. 1 words substituted by S.R. 2013/116 art. 31(12)
- Sch. 2 Pt. 2A Table sum substituted by S.R. 2014/146 art. 8
- Sch. 2 Pt. 2B Table sum substituted by S.R. 2014/146 art. 9(a)
- Sch. 2 Pt. 2B Table sum substituted by S.R. 2014/146 art. 9(b)
- Sch. 3A inserted by S.R. 2011/169 art 17
- Sch. 3A omitted by S.R. 2016/84 art. 11
- Sch. 3A para. 2(d)(xi) substituted by S.R. 2014/146 art. 10(3)
- Sch. 3A para. 2(d)(x)(cc)(dd) substituted for Sch. 3A para. 2(d)(x)(cc) by S.R. 2014/146 art. 10(2)
- Sch. 3B inserted by S.R. 2011/169 art 17

- Sch. 3B omitted by [S.R. 2016/84 art. 11](#)
- art. 2(1)(c) inserted by [S.R. 2013/116 art. 2\(10\)](#)
- art. 2(1)(d) words omitted by [S.R. 2013/116 art. 2\(8\)\(a\)](#)
- art. 2(1)(e) inserted by [S.R. 2013/116 art. 2\(8\)\(b\)](#)
- art. 2(7) inserted by [S.R. 2013/116 art. 2\(11\)](#)
- art. 2(8) inserted by [S.I. 2017/1234 reg. 13\(3\)](#)
- art. 3A3B3C inserted by [S.R. 2011/169 art. 12\(8\)](#)
- art. 4(1)-(1B) substituted for art. 4(1) by [S.R. 2013/116 art. 3](#)
- art. 4(1A)(a) words substituted by [S.R. 2016/84 art. 3\(a\)](#)
- art. 4(1B)(a) words substituted by [S.R. 2016/84 art. 3\(b\)](#)
- art. 4A inserted by [S.R. 2011/169 art. 6](#)
- art. 18A(1)(b) words substituted by [S.R. 2013/116 art. 6\(2\)](#)
- art. 18A(3) words substituted by [S.R. 2013/116 art. 6\(3\)](#)
- art. 18A(5) words substituted by [S.R. 2011/169 art. 7](#)
- art. 21(3)(a)(vi)(vii) inserted by [S.R. 2013/116 art. 7\(5\)](#)
- art. 21A art. 22A renumbered as art. 21A by [S.R. 2013/116 art. 9](#)
- art. 21B art. 22B renumbered as art. 21B by [S.R. 2013/116 art. 10](#)
- art. 21B(b)(i)-(iii) substituted for art. 21B(b)(i)(ii) by [S.R. 2016/84 art. 5](#)
- art. 21B(1) art. 21B renumbered as art. 21B(1) by [S.I. 2019/35 Sch. 3 para. 2\(2\)](#)
- art. 21B(1)(a)(ii) words substituted by [S.I. 2019/35 Sch. 3 para. 2\(3\)](#)
- art. 21B(2) inserted by [S.I. 2019/35 Sch. 3 para. 2\(4\)](#)
- art. 21B(2) words substituted in earlier amending provision [S.I. 2019/35, Sch. 3 para. 2\(4\)](#) by [S.I. 2020/849 reg. 3\(4\)](#)
- art. 21ZA inserted by [S.R. 2016/84 art. 4](#)
- art. 22(2A)-(2B) inserted by [S.R. 2016/84 art. 6\(b\)](#)
- art. 22(3)(aa) inserted by [S.R. 2013/116 art. 8](#)
- art. 22A22B inserted by [S.R. 2011/169 art. 9](#)
- art. 23(2)(a)(ii)(cc) omitted by [S.R. 2013/116 art. 11\(3\)](#)
- art. 23(2)(a)(ii)(aa) words substituted by [S.R. 2013/116 art. 11\(2\)](#)
- art. 23(7) inserted by [S.R. 2013/116 art. 11\(5\)](#)
- art. 24(2)(aa) words substituted by [S.R. 2013/116 art. 12\(3\)\(a\)](#)
- art. 24(2)(bb) omitted by [S.R. 2013/116 art. 12\(3\)\(b\)](#)
- art. 25(2)-(10) substituted for art. 25(2)-(5) by [S.R. 2013/116 art. 13](#)
- art. 26A-26E inserted by [S.R. 2013/116 art. 15](#)
- art. 27-27D substituted by [S.R. 2011/169 art. 10](#)
- art. 27(2)-(5) substituted for art. 27(2) by [S.R. 2013/116 art. 16](#)
- art. 27(3) substituted by [S.R. 2013/116 art. 17](#)
- art. 27A(2)(3) substituted for art. 27A(2) by [S.R. 2013/116 art. 18](#)
- art. 27A(3) substituted by [S.R. 2015/287 art. 3](#)
- art. 27B(2)(c)(d) substituted for art. 27B(2)(c) by [S.R. 2013/116 art. 19](#)
- art. 28A inserted by [S.R. 2013/116 art. 21](#)
- art. 29A29B inserted by [S.R. 2011/169 art. 11](#)
- art. 34(9)(b) words substituted by [S.R. 2013/116 art. 25\(5\)](#)
- art. 34(10) words substituted by [S.R. 2013/116 art. 25\(6\)](#)
- art. 46(A) inserted by [S.R. 2011/169 art. 13](#)
- art. 46(2)-(3ZB) substituted for art. 46(2)(3) by [S.R. 2014/146 art. 3\(3\)](#)
- art. 46(3A) words substituted by [S.R. 2014/146 art. 3\(4\)](#)
- art. 46(3B)(za) inserted by [S.R. 2014/146 art. 3\(5\)](#)
- art. 46(4)(d) word omitted by [S.I. 2017/1234 reg. 14\(2\)\(a\)](#)
- art. 46(4)(e)(v) words substituted by [S.I. 2017/1234 reg. 14\(2\)\(b\)](#)
- art. 46(4)(f) inserted by [S.I. 2017/1234 reg. 14\(2\)\(c\)](#)
- art. 46(7) omitted by [S.R. 2013/116 art. 26\(4\)](#)
- art. 46(10) word omitted by [S.I. 2017/1234 reg. 14\(3\)\(a\)](#)
- art. 46(10) words inserted by [S.I. 2017/1234 reg. 14\(3\)\(c\)](#)
- art. 46(10) words substituted by [S.I. 2017/1234 reg. 14\(3\)\(b\)](#)
- art. 46A(3)(b)-(da) substituted for art. 46A(3)(b)-(d) by [S.R. 2014/146 art. 4\(2\)](#)
- art. 46A(3)(d) word omitted by [S.R. 2013/116 art. 27\(2\)](#)
- art. 46A(3)(e) semi-colon substituted for full stop by [S.R. 2013/116 art. 27\(3\)](#)

- art. 46A(3)(f)(g) added by S.R. 2013/116 art. 27(3)
- art. 46A(5) substituted by S.R. 2014/146 art. 4(3)
- art. 46A(8) substituted by S.R. 2013/116 art. 27(4)
- art. 46A(8) words substituted by S.R. 2014/146 art. 4(4)
- art. 46B inserted by S.R. 2014/146 art. 5
- art. 46B(2)(a)(b) words omitted by S.R. 2016/84 art. 8(a)(i)
- art. 46B(2)(b) word substituted by S.R. 2016/84 art. 8(a)(ii)
- art. 46B(6)(a)(b) words omitted by S.R. 2016/84 art. 8(b)(i)
- art. 46B(6)(b) word substituted by S.R. 2016/84 art. 8(b)(ii)
- art. 49(1A) inserted by S.R. 2011/169 art. 14
- art. 50A inserted by S.R. 2013/116 art. 28