
STATUTORY RULES OF NORTHERN IRELAND

2012 No. 396

**The Renewable Heat Incentive Scheme
Regulations (Northern Ireland) 2012**

PART 6

ADDITIONAL RHI CAPACITY

Treatment of additional RHI capacity

- 42.**—(1) This regulation applies where a participant installs additional RHI capacity.
- (2) In this regulation “additional RHI capacity” means a plant which is—
- (a) first commissioned after the date on which an accredited RHI installation (“the original installation”) was first commissioned;
 - (b) uses the same source of energy and technology as the original installation; and
 - (c) supplies heat to the same heating system as that of which the original installation forms part.
- (3) A participant must inform the Department within 28 days of the additional RHI capacity being first commissioned.
- (4) Paragraph (5) applies where the additional RHI capacity is first commissioned within 12 months of the date on which the original installation was first commissioned.
- (5) Where this paragraph applies—
- (a) the Department may review the accreditation of any accredited RHI installation using the same source of energy and technology and supplying heat to the same heating system as the additional RHI capacity;
 - (b) upon an application for accreditation of the additional RHI capacity, the Department must—
 - (i) treat the additional RHI capacity as if it were part of the original installation; and
 - (ii) decide whether or not to accredit the additional RHI capacity and original installation as one eligible installation in accordance with Part 3;
 - (c) subject to sub-paragraph (d), a refusal of accreditation under sub-paragraph (b)(ii) does not affect the accreditation of the original installation;
 - (d) if a review undertaken in accordance with sub-paragraph (a) results in a finding that a relevant ongoing obligation is no longer being complied with, the Department may take appropriate action under Part 7; and
 - (e) where the Department grants accreditation in accordance with sub-paragraph (b), from the date of that accreditation a participant’s periodic support payments in respect of the original installation will be replaced by periodic support payments calculated using the applicable tariff determined in accordance with paragraph (7) of regulation 36 in relation to the source of energy and technology concerned based on the sum of the installation

capacities of the additional RHI capacity and the original installation, and will terminate with the tariff end date of the original accredited RHI installation.

(6) Paragraph (7) applies where the additional RHI capacity is first commissioned more than 12 months after the original installation was first commissioned.

(7) Where this paragraph applies, the Department may review the accreditation of any accredited RHI installation using the same source of energy and technology and supplying heat to the same heating system as the additional RHI capacity; and if a review results in a finding that a relevant ongoing obligation is no longer being complied with, the Department may take appropriate action under Part 7.

(8) All additional RHI capacity must be individually metered.