
STATUTORY RULES OF NORTHERN IRELAND

2014 No. 301

**The Domestic Renewable Heat Incentive
Scheme Regulations (Northern Ireland) 2014**

PART 2

ELIGIBILITY CRITERIA

Eligibility criteria

3. A plant which is a biomass plant, heat pump or solar thermal plant is eligible for accreditation where it has an installation capacity not exceeding 100kWth and it meets the requirements (“the eligibility criteria”) set out in—

- (a) regulations 4, 5 or 6 (whichever is applicable to the plant);
- (b) regulations 7 to 11;
- (c) if the plant is not the first and only plant to provide heat to a property, regulation 12; and
- (d) if regulation 13 requires that the heat generated by the plant must be metered, regulation 14.

Requirements for biomass plants

4.—(1) Where the plant is a biomass plant, the applicable requirements referred to in regulation 3(a) are that—

- (a) where the plant is designed and installed to also use a source of energy which is not a permitted source of energy (and that other source of energy is not used solely for ignition), paragraph (2) must be satisfied in respect of any part of the plant which uses that other source of energy (“the non-biomass part”);
- (b) it provides heating—
 - (i) solely to a single eligible property;
 - (ii) for an eligible purpose; and
 - (iii) if the plant is a biomass stove, it provides heating for that eligible purpose using a liquid-filled heat exchanger enclosed within it;
- (c) it is a condensing plant or meets the requirements set out in—
 - (i) at least one of the standards specified in paragraph 1(2) of Schedule 1 which is relevant to the plant and which is applicable on the plant’s first commissioning date, if the plant is a biomass boiler; or
 - (ii) the standard specified in paragraph 1(3) of Schedule 1, if the plant is a biomass stove;
- (d) it has a first commissioning date which is—
 - (i) on or after 1st September 2010 and earlier than the 1st April 2016;

- (ii) on or after the 1st April 2016 and an RHI emissions certificate has been issued for the plant, a plant of the same make, model and installation capacity as the plant, or any other plant in the same type-testing range as the plant.
- (2) For the purposes of paragraph (1)(a), this paragraph is satisfied where the non-biomass part—
 - (a) comprises an immersion heater for a domestic hot water cylinder or otherwise solely generates heat for the purpose of heating domestic hot water; or
 - (b) comprises a supplementary electric heater and a single control system governs the whole plant.
- (3) In paragraph (1), “permitted source of energy” means, if the source of energy is used by a biomass boiler or stove, solid biomass.
- (4) Schedule 5 has effect.

Requirements for heat pumps

5. Where the plant is a heat pump, the applicable requirements referred to in regulation 3(a) are that—
- (a) it provides heating—
 - (i) solely to a single eligible property; and
 - (ii) for an eligible purpose using liquid as a medium for delivering that heat;
 - (b) it meets the requirements set out in the standards for heat pumps specified in paragraph 1(4)(a), (b), (c) or (d) of Schedule 1 which are applicable on the plant’s first commissioning date;
 - (c) it has a seasonal performance factor of 2.5 or above;
 - (d) it uses a compressor which is driven by electricity; and
 - (e) if it is an air source heat pump, it is not designed to use heat in air which has been expelled from an appliance or building.

Requirements for solar thermal plants

6. Where the plant is a solar thermal plant, the applicable requirements referred to in regulation 3(a) are that it—
- (a) is designed and installed to provide heating solely to a single eligible property and solely for an eligible purpose using liquid as a medium for delivering that heat;
 - (b) meets the requirements set out in whichever of the standards for solar thermal plants specified in paragraph 1(5)(a) and (b) of Schedule 1 are relevant to the plant and are applicable on the plant’s first commissioning date;
 - (c) cannot also be used to generate electricity.

Installation requirements

7. The requirements referred to in regulation 3(b) are that, on the RHI date for the plant, all parts of the plant have the same first commissioning date and that date is on or after 1st September 2010.

Certification requirements

8.—(1) The requirements referred to in regulation 3(b) are that a plant with an installation capacity not exceeding Microgeneration Certification Scheme rules is certified under—

- (a) the Microgeneration Certification Scheme(1) as installed in accordance with the relevant installation standard in that scheme; or
 - (b) a scheme accredited under EN 45011(2) OR EN ISO/IEC 17065:2012(3) as installed in accordance with the installation requirements applicable to the plant which apply under that scheme where—
 - (i) that scheme is equivalent to the Microgeneration Certification Scheme; and
 - (ii) the requirements are those which apply on the plant’s first commissioning date and which are equivalent to the relevant installation standard.
- (2) The requirements referred to in regulation 3(b) are that the installer of a plant is certified under the Microgeneration Certification Scheme at the time of installation.
- (3) In paragraph (1), “relevant installation standard” means, if the first commissioning date for the plant is—
- (a) on or after the relevant date—
 - (i) where the plant is a biomass plant, version 4.0 of the document entitled “Microgeneration Installation Standard: MIS 3004 requirements for contractors undertaking the supply, design, installation, set to work, commissioning and handover of solid biofuels heating systems” published on 16th December 2013(4);
 - (ii) where the plant is a heat pump, version 4.0 of the document entitled “Microgeneration Installation Standard: MIS 3055 requirements for contractors undertaking the supply, design, installation, set to work, commissioning and handover of Microgeneration heat pump systems” published on 16th December 2013(5); or
 - (iii) where the plant is a solar thermal plant, version 4.0 of the document entitled “Microgeneration Installation Standard: MIS 3001 requirements for contractors undertaking the supply, design, installation, set to work, commissioning and handover of solar heating Microgeneration systems” published on 16th December 2013(6).
- (4) The requirements mentioned in paragraph (2) do not apply to an installation completed on or after 1st September 2010 but before the relevant date.

Plants used to generate heat before the first commissioning date

- 9.—(1) The requirements referred to in regulation 3(b) are that no part of the plant which generates heat, other than any of the components listed in paragraph (2), was used before the plant’s first commissioning date.
- (2) The components referred to in paragraph (1) are—
- (a) immersion heaters and other components which solely generate heat for the purpose of heating domestic hot water;
 - (b) supplementary electric heaters; and
 - (c) circulation pumps.

(1) Details of which are available at www.microgenerationcertification.org.

(2) The ISBN for the English language version of this standard is ISBN 0580294153. Copies can be obtained from the British Standards Institution at www.bsigroup.com.

(3) The ISBN for the English language version of this standard is ISBN 978 0 580 78472 9. Copies can be obtained from the British Standards Institution at www.bsigroup.com.

(4) Published on www.microgenerationcertification.org.

(5) Published on www.microgenerationcertification.org.

(6) Published on www.microgenerationcertification.org.

Requirements regarding funding of plants

10. The requirements referred to in regulation 3(b) are that—
- (a) some or all of the costs of the purchase or installation of the plant are met by any owner or former owner of the plant using that person's own funds (including a loan which that person was liable to repay) or by a RHPP grant; or
 - (b) the plant is owned by the Northern Ireland Housing Executive or by a registered housing association.

Requirement that plant is not an accredited RHI installation

11. The requirements referred to in regulation 3(b) are the plant is not, and has not been at any time, an accredited RHI installation.

Requirements where more than one plant provides heat to a property

12.—(1) The requirements referred to in regulation 3(c) are that where the plant ("plant A") provides heat to a property to which any other plant provides heat or has previously provided heat, in relation to that other plant, or if there is more than one in relation to each such plant, ("plant B"),—

- (a) paragraph (2) or (3) applies; and
 - (b) paragraph (4) applies.
- (2) This paragraph applies if plant B—
- (a) is not, and has not at any time been, an accredited domestic plant; and
 - (b) is not a plant for which an accreditation application has been made and has not been rejected.
- (3) This paragraph applies if plant B is, or has previously been, an accredited domestic plant and—
- (a) either plant A or plant B (but not both) is a solar thermal plant; or
 - (b) plant B is an original plant and plant A is a replacement plant.
- (4) This paragraph applies if plant B—
- (a) is not, and has not at any time been, an accredited RHI installation; and
 - (b) is not a plant for which an application for accreditation has been made and not withdrawn by the applicant (and accreditation has not been refused) under the Renewable Heat Incentive Scheme Regulations (Northern Ireland) 2012(7).

Plants where heat generation must be metered

- 13.—(1) The heat generated by the plant ("plant A") must be metered if—
- (a) plant A is not a solar thermal plant; and
 - (b) plant A falls within paragraph (2), (3), (4), (5), (6), (7), (8) or (9).
- (2) Plant A falls within this paragraph where it provides heat to the same property as another plant ("plant B"), except where plant B—
- (a) is a solar thermal plant;
 - (b) is designed and installed to heat only one room;
 - (c) captures heat from air which is expelled from a property and transfers that heat into fresh air entering that property without generating additional heat;

- (d) is an immersion heater for a domestic hot water cylinder or is any other plant which solely generates heat for the purpose of heating domestic hot water; or
 - (e) is a supplementary electric heater which is controlled by the same control system as the control system governing plant A.
- (3) Plant A falls within this paragraph where it is a biomass plant with an installation capacity which is not sufficient to provide space heating for all parts of the property to which it provides heat and its first commissioning date is on or after the relevant date.
- (4) Plant A falls within this paragraph where the property to which it provides heat was occupied for less than 183 days in the 12 month period on its RHI date.
- (5) Plant A falls within this paragraph where it is a heat pump and is capable of using a fuel when generating heat for an eligible purpose.
- (6) Plant A falls within this paragraph where its installation capacity exceeds the Microgeneration Certification Scheme rules.
- (7) Plant A falls within this paragraph where the Department installs an eligible meter in order to collect data, assess performance and monitor progress against renewable heat targets.
- (8) Plant A falls within this paragraph where any other plant has been or is installed which generates heat for the RHI property.
- (9) Plant A falls within this paragraph where the property to which it provides heat is the subject of a private tenancy or a public tenancy.
- (10) In this regulation—
- “private tenancy” means any tenancy of a dwelling except—
 - (a) a fee farm grant; or
 - (b) a tenancy for a term certain exceeding 99 years, unless that tenancy is, or may become, terminable before the end of that term by notice given to the tenant; or
 - (c) a tenancy the purpose of which is to confer on the tenant the right to occupy a dwelling for a holiday; and
 - “public tenancy” means a tenancy under which the estate of the landlord belongs to—
 - (a) the Crown (whether in right of Her Majesty’s Government in the United Kingdom or in Northern Ireland);
 - (b) a government department;
 - (c) the Northern Ireland Housing Executive;
 - (d) a registered housing association;
- or is held in trust for Her Majesty for the purposes of a government department.

Metering requirements

- 14.**—(1) The requirements referred to in regulation 3(d) are that, in relation to all eligible meters used in relation to the plant—
- (a) the requirements set out in paragraph (2) are met (“the metering requirements”); or
 - (b) the metering requirements in paragraph (2)(a) and (b) are met and the Department is satisfied that, were the plant given accreditation, no participant would, as a consequence of the failure to meet the other metering requirements, be entitled to receive RHI payments which are materially greater than would be the case were all the metering requirements met.
- (2) The requirements referred to in paragraph (1)(a) are that—

- (a) a certified installer was responsible for the installation of any eligible meter which is installed on or after the relevant date;
- (b) a certified installer was responsible for the installation of any eligible meter which is installed earlier than the relevant date or for checking that any such meter was properly installed;
- (c) each eligible meter is positioned in accordance with the requirements specified in regulation 15 if the plant is a biomass plant, or regulation 16 if the plant is a heat pump;
- (d) each eligible meter is properly calibrated;
- (e) each eligible meter is properly installed and in good working order; and
- (f) each eligible meter bears a label which identifies the meter using a unique reference number which enables the meter to be consistently identified when the information recorded by the meter is submitted to the Department.

Positioning of meters when recording heat generated by biomass plants

15.—(1) For the purposes of regulation 14(2)(c), where the plant (“plant A”) is a biomass plant meters must be positioned in accordance with paragraph (2), (3) or (4).

(2) Meters are positioned in accordance with this paragraph if one or more eligible heat meters are installed to record the heat output delivered by a liquid from plant A.

(3) Meters are positioned in accordance with this paragraph if one or more eligible heat meters are installed to record separately—

- (a) the combined heat output of plant A and any other plant (“plant B”); and
- (b) the heat output of plant B.

(4) Meters are positioned in accordance with this paragraph if one or more eligible meters are installed to record separately—

- (a) the combined heat output of plant A and plant B; and
- (b) any energy consumption by plant B.

Positioning of meters when recording heat generated by heat pumps

16.—(1) For the purposes of regulation 14(2)(c), where the plant (“plant A”) is a heat pump, meters must be positioned in accordance with paragraph (2), (3), (4), or (5).

(2) Meters are positioned in accordance with this paragraph if one or more eligible meters are installed to record separately—

- (a) the heat output from any component of plant A which is a compressor, and any other components of plant A which the owner of plant A will be seeking to be included in the calculation of eligible metered heat (“the metered components”); and
- (b) any relevant energy consumption by the components of plant A that are metered under this paragraph.

(3) Meters are positioned in accordance with this paragraph if one or more eligible meters are installed to record separately—

- (a) the combined heat output of the metered components and any other plant (“plant B”);
- (b) the heat output of plant B; and
- (c) any relevant energy consumption by the metered components.

(4) Meters are positioned in accordance with this paragraph if one or more eligible meters are installed to record separately—

- (a) the combined heat output of the metered components and plant B;
- (b) any energy consumption by plant B; and
- (c) any relevant energy consumption by the metered components.

(5) Meters are positioned in accordance with this paragraph if plant A is capable of providing heating as well as cooling and one or more eligible meters are installed to record sufficient information about plant A to enable the eligible metered heat generated by plant A to be determined.

(6) In this regulation, “relevant energy consumption” means consumption of energy which is not energy from—

- (a) a liquid filled flat plate or evacuated tube solar collector; or
- (b) a source other than heat from the air, water or the ground.