

SCHEDULE 1

Articles 4(2) and 5

AMOUNT OF THE RENEWABLES OBLIGATION

<i>Obligation period</i>	<i>Percentage of total supplies</i>		<i>Total obligation</i>
	<i>Wave requirement</i>	<i>Tidal requirement</i>	
1st April 2007 to 31st March 2008	0	0	7.9
1st April 2008 to 31st March 2009	0.05	0.05	9.1
1st April 2009 to 31st March 2010	0.1	0.1	9.7
1st April 2010 to 31st March 2011	0.15	0.15	10.4
1st April 2011 to 31st March 2012	0.2	0.2	11.4
1st April 2012 to 31st March 2013	0.25	0.25	12.4
1st April 2013 to 31st March 2014	0.3	0.3	13.4
1st April 2014 to 31st March 2015	0.35	0.35	14.4
1st April 2015 to 31st March 2016	0.35	0.35	15.4
Each subsequent period of twelve months ending with the period of twelve months ending on 31st March 2027	0.35	0.35	15.4

SCHEDULE 2

Article 23(2)

THE REGISTER

1. The Authority shall maintain the Register (which may be in electronic form) at any of its premises.

2. Particulars of a SROC comprise–

- (a) the name of the person to whom the Authority issues the SROC or, where the Authority has amended the Register in dealing with a request for substitution in accordance with paragraph 6, the name of the substitute (“the registered holder”); and
- (b) an identifier unique to the SROC (“the SROC identifier”) determined by the Authority and containing the following information (or reference to that information in coded format)–
 - (i) the month and year during which the electricity was generated;

- (ii) the location of the generating station or, where the SROC certifies the matters within section 32B(2ZA), (2AA) or (2AC) of the Act, the location of the agent to whom, by virtue of article 17, the SROC was issued;
 - (iii) a description of that generating station or, where the SROC certifies the matters within section 32B(2ZA), (2AA) or (2AC) of the Act, the generating stations to which the SROC relates, including reference to the eligible renewable source or sources used by it or them to generate electricity;
 - (iv) the date of issue of the SROC; and
 - (v) the SROC sequence number determined by the Authority in accordance with article 22(1)(a) or 24(6).
3. A person may only be the registered holder of a SROC or have an entry made and maintained in respect of them under article 23(4)(b) if they provide to the Authority in writing—
- (a) evidence of their identity; and
 - (b) where persons are authorised to act on their behalf in respect of the production of SROCs as the evidence or part of the evidence required under article 3(1) and in respect of requests for amendments to be made to the Register as provided for in this Schedule, details of those persons.
4. The Authority may from time to time draw up procedural guidelines for itself and others to assist it in maintaining the Register and carrying out its functions in respect thereof.
5. The Authority shall delete from the Register any SROC which—
- (a) has been revoked in accordance with article 24;
 - (b) has in accordance with article 3(3), 13 or 14 been produced as evidence or as part of the evidence required under article 3(1);
 - (c) is no longer eligible to be produced as evidence or as part of the evidence required under article 3(1);
 - (d) the registered holder requests should be deleted; or
 - (e) the Northern Ireland Authority has notified the Authority has been produced to the Northern Ireland Authority by a Northern Ireland supplier under a NIRO Order;
- and where it is so deleted, the SROC cannot thereafter be produced as the evidence or part of the evidence required under article 3(1).
6. Where the registered holder of a SROC and a person whom the registered holder wishes to be the substitute (as defined in this paragraph) require in respect of a particular SROC that the Register be amended, by substituting for the name of the registered holder the name of a second person (“the substitute”), (who shall be a person whose name is included on the list maintained pursuant to article 23(4)(b))—
- (a) the registered holder and the person whom the registered holder wishes to be the substitute shall each submit to the Authority in writing requests which are identical in all material respects and which include the SROC identifier of the SROC to which the request relates; and
 - (b) the Authority shall—
 - (i) in any August, within 10 banking days; and
 - (ii) in all other instances, within 5 banking days,after the banking day on which it is first in receipt at the commencement of its working hours of requests which comply with sub paragraph (a), amend the particulars of the SROC recorded in the Register to show the substitute as the registered holder.

7. Where the Authority receives in writing a request for substitution it shall inform both the registered holder of the SROC and the substitute named therein that the request has been received and, in the event that the requests from the registered holder of the SROC and the person whom the registered holder wishes to be the substitute are not identical in all material respects or do not include the SROC identifier of the SROC, shall draw this to their attention.

8. Where a SROC is issued in accordance with article 16 (and, where it applies, article 17) or a replacement SROC is issued in accordance with article 24 or a substitute is recorded as the registered holder pursuant to paragraph 6, the Authority shall notify the registered holder (in the case of a SROC or a replacement SROC being issued) and the former and new registered holder (in the case of a substitution) in writing within 5 banking days of the issue or substitution having taken place.

9. The substitute shall not be the registered holder of the SROC until such time as the particulars of the SROC recorded in the Register identify the substitute as such.

10. The Register may be amended by a decision of the Authority—

- (a) where the Authority is satisfied that an entry in the Register has been obtained by fraud;
- (b) where a decision of a Court of competent jurisdiction or the operation of law requires the amendment of the Register;
- (c) in any other case where by reason of any error or omission on the part of the Authority it is necessary to amend the Register.

11. The contents of the Register (including the entries referred to in article 23(4)(b)) shall be available for inspection by the public on request at reasonable notice during the Authority's working hours and at the request of any person the Authority shall provide a written statement of any entry on the Register including any entry referred to in article 23(4)(b).

12. Where any person considers that an entry maintained in respect of that person under article 23(4)(b) should be amended or deleted, that person may apply to the Authority in writing requesting that the entry be amended or deleted.

13. The Authority shall in any procedural guidelines which it produces provide details of its usual working hours.

SCHEDULE 3

Article 2(1)(1)

CONDITIONS OF ELIGIBILITY FOR NIROCs

1. The electricity to which the NIROC relates was generated from renewable sources.
2. The electricity was generated in Northern Ireland (which for the purposes of this paragraph shall not include any part of the territorial sea of the United Kingdom).
3. The electricity to which the NIROC relates was not generated by a generating station that is a large hydro generating station unless it was first commissioned after 1st April 2002.
4. Subject to paragraphs 5 and 6, the electricity to which the NIROC relates was not generated by a generating station (other than a micro hydro generating station) that was first commissioned before 1st January 1990 and where the main components of that generating station have not been renewed since 31st December 1989 as described in paragraph 21.

(1)

See definition of "eligible NIROC".

5. Paragraph 4 shall not apply in relation to a NIROC issued in respect of electricity generated by a generating station that during the month to which the NIROC relates was fuelled partly by fossil fuel and partly by biomass (and by no other fuel).

6. Paragraph 4 shall not apply in relation to a NIROC issued in respect of electricity generated by a generating station that during the month to which the NIROC relates was fuelled wholly by biomass, if–

- (a) prior to 1st April 2003 at least 75 per cent of the energy content of the fuel by which it was fuelled was derived from fossil fuel; and
- (b) during no month (being a month after March 2004) after the first month during which the generating station was fuelled wholly by biomass has the energy content of the fuel by which it was fuelled been derived as to more than 75 per cent from fossil fuel.

7. The electricity to which the NIROC relates was not generated by a generating station that in the month to which the NIROC relates is fuelled wholly or partly by waste unless–

- (a) the only waste or wastes by which it is fuelled in that month is or are biomass or liquids comprised wholly or mainly of hydrocarbon compounds; or
- (b) all the waste by which it is fuelled in that month which is not biomass has first been manufactured into fuel which is in either a gaseous or liquid form (or both) by means of plant and equipment using advanced conversion technologies only; or
- (c) the generating station is a qualifying combined heat and power generating station.

8. The electricity to which the NIROC relates was not generated by a generating station that in the month to which the NIROC relates was fuelled partly by fossil fuel and partly by any other fuel (or fuels) other than biomass.

9. After 31st March 2016, the electricity to which the NIROC relates was not generated by a generating station that during the month to which the NIROC relates was fuelled partly by fossil fuel and partly by biomass (and by no other fuel).

10. The electricity to which the NIROC relates was not generated by a generating station that during the month to which the NIROC relates was fuelled wholly or partly by peat.

11. The electricity to which the NIROC relates was not generated by a generating station that during the month to which the NIROC relates was fuelled wholly or partly by any substance derived directly or indirectly from any of the substances referred to in article 9(1)(a)(i) unless that substance is a substance falling within article 9(1)(a)(ii) or it is waste or a component of biomass.

12. The electricity to which the NIROC relates was not generated by a generating station that during the month to which the NIROC relates was fuelled wholly or partly by waste where all the waste which is neither biomass nor liquids comprised wholly or mainly of hydrocarbon compounds is or is derived directly or indirectly from one or more of the substances referred to in article 9(1)(a)(i).

13. Paragraph 14 applies where–

- (a) a qualifying arrangement (“the applicable qualifying arrangement”) provided for the building of a generating station at a specified location (“the location”);
- (b) the applicable qualifying arrangement was terminated due to the operator of the generating station to which it applied having committed an unremedied breach of it; and
- (c) the last period in the tables contained in Schedule 1 to the Non Fossil Fuel Order which relates to the applicable qualifying arrangement has not expired.

14. If this paragraph applies, it is a condition of eligibility that the electricity to which the NIROC relates was not generated by a generating station–

- (a) which is situated at the location; and
- (b) to which the applicable qualifying arrangement applied at the time it was commissioned, or which is owned or operated by a person who was a party to the applicable qualifying arrangement (or who is a connected person or a linked person in relation to any such party).

15. Paragraph 16 applies, where an extant qualifying arrangement (“the applicable qualifying arrangement”) provides for the building of a generating station (“the specified station”) at a specified location (“the location”) and the specified station has not been commissioned.

16. If this paragraph applies it is a condition of eligibility that the electricity to which the NIROC relates was not generated by a generating station—

- (a) which is situated at the location; and
- (b) which is owned or operated by a person who is a party to the applicable qualifying arrangement, or is a connected person or a linked person in relation to any such party.

17. Paragraphs 14 and 16 shall not apply to a NIROC relating to electricity generated by a generating station which, during the month in question, generates only electricity which is sold pursuant to another extant qualifying arrangement.

18. In paragraphs 14 and 16, in relation to a person who is a party to the applicable qualifying arrangement (“the first person”), another person (“the second person”) is a “linked person” where the second person has given or has arranged to give or has ensured or has arranged to ensure that the first person is given a financial or other inducement relating to any right or interest in, or in respect of, the construction or operation of a generating station at the location.

19. The references in paragraph 18 to the first person and the second person shall include any person who is a connected person in relation to either of them.

20. For the purposes of paragraphs 13 to 19, a generating station shall be regarded as being situated at a location provided for by an extant qualifying arrangement whether it is situated wholly or partly at that location.

21. For the purposes of paragraph 4, the main components of a generating station shall only be regarded as having been renewed since 31st December 1989 where—

- (a) in the case of a hydro generating station the following parts have been installed in the generating station after 31st December 1989 and were not used for the purpose of electricity generation prior to that date—
 - (i) either all the turbine runners or all the turbine blades or the propeller; and
 - (ii) either all the inlet guide vanes or all the inlet guide nozzles; or
- (b) in the case of any other generating station all the boilers and turbines (driven by any means including wind, water, steam or gas) have been installed in the generating station after 31st December 1989 and were not used for the purpose of electricity generation prior to that date.

22. The following terms shall have the meanings given below where they appear in this Schedule:

- (a) “fossil fuel” has the meaning given by article 9(1)(a);
- (b) “Non Fossil Fuel Orders” has the meaning that it has in the NIRO Order under which the NIROC was issued;
- (c) “qualifying arrangement” has the meaning that it has in the NIRO Order under which the NIROC was issued;
- (d) “renewable sources” means sources of energy other than fossil fuel or nuclear fuel, but includes waste of which not more than a specified proportion is waste which is, or is derived from, fossil fuel;

- (e) “specified” means specified in this Schedule;
- (f) “waste” is to be regarded as including anything derived directly or indirectly from waste (as that term is defined in article 2(1)).

23. Paragraph 24 applies, where in respect of any generating station, the operator—

- (a) has given notice under a NIRO Order which, had that notice been given in respect of a station to which article 25 applies, would have constituted notice under article 25(2); and
- (b) has not done anything that, had it been done in respect of a station to which article 25 applies, would have constituted withdrawal of that notice under article 25(5).

24. In the case of a generating station referred to in paragraph 23 the reference to “month” in each place where it occurs in this Schedule shall be taken to be a reference to “obligation period” where “obligation period” has the meaning that it has in the NIRO Order under which the NIROC in question was issued.

SCHEDULE 4

Article 34(1)(i)

AMOUNT OF RELEVANT SHORTFALL FOR EACH OBLIGATION PERIOD

<i>Obligation Period</i>	<i>Amount</i>
1st April 2006 to 31st March 2007	£670,000
1st April 2007 to 31st March 2008	£790,000
1st April 2008 to 31st March 2009	£910,000
1st April 2009 to 31st March 2010	£970,000
1st April 2010 to 31st March 2011	£1,040,000
1st April 2011 to 31st March 2012	£1,140,000
1st April 2012 to 31st March 2013	£1,240,000
1st April 2013 to 31st March 2014	£1,340,000
1st April 2014 to 31st March 2015	£1,440,000
1st April 2015 to 31st March 2016	£1,540,000
Each subsequent period of twelve months ending with the period of twelve months ending on 31st March 2027	£1,540,000