
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 140

The Renewables Obligation (Scotland) Order 2009

PART 5

SROCs to be issued by Authority in respect of renewable output

SROCs to be issued by Authority in respect of a generating station's renewable output

24.—(1) The Authority is to issue SROCs.

(2) Subject to paragraph (3) and article 60 (modification of this Order in relation to microgenerators in certain circumstances), SROCs—

- (a) are to be issued in respect of a generating station's renewable output in a month; and
- (b) must not be issued before the end of the second month following that month.

(3) When issuing SROCs in respect of electricity generated in a month by a generating station or, in the case of SROCs certifying the matters within section 32B(5), (6) or (8) of the Act, two or more generating stations, the Authority must—

- (a) determine the renewable output of that generating station or, as the case may be, those generating stations in that month in accordance with article 25 or 26 (whichever is applicable);

[^{F1}(aa) deduct from that station's or those stations' renewable output any electricity which is generated from landfill gas other than electricity—

- (i) to be deducted by virtue of sub-paragraph (b);
- (ii) generated by a generating station to which article 29 applies;
- (iii) generated using pre-2013 capacity;
- (iv) generated in the way described as “closed landfill gas” in Schedule 2; or
- (v) generated using the heat from a turbine or engine;]

- (b) where one or more of the criteria set out in articles 36 to 40 have to be satisfied before SROCs can be issued in respect of that station's or those stations' renewable output, deduct from that output any electricity in respect of which any of those criteria are not satisfied; and

- (c) issue SROCs in respect of that station's or those stations' remaining renewable output, the amount of electricity to be stated in each SROC being determined in accordance with articles 27 to 32 (banding and grandfathering).

(4) Where a generating station generates electricity—

- (a) wholly from renewable sources a proportion of which is composed of fossil fuel;
- (b) wholly from renewable sources and the input electricity used by the generating station in generating that electricity exceeds 0.5 per cent of the total amount of that electricity; or
- (c) partly from renewable sources and partly from fossil fuel,

SROCs are to be issued in respect of a proportion only of the electricity generated by the station.

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(5) Where the number of megawatt hours of renewable output in respect of which SROCs are to be issued does not equate to a whole number of SROCs, the number of megawatt hours is to be rounded to the nearest figure which does so equate (and where there are two such figures, the number of megawatt hours is to be rounded upwards).

(6) In this article “input electricity”, in relation to a generating station, means—

- (a) the total amount of electricity used by that station for purposes directly related to its operation (including for fuel handling, fuel preparation, maintenance and the pumping of water) whether or not that electricity is generated by the station or used while the station is generating electricity; and
- (b) where the station generates electricity wholly or partly from hydrogen (other than hydrogen that constitutes fossil fuel), any electricity—
 - (i) in respect of which SROCs are or have been issued;
 - (ii) in respect of which SROCs cannot be issued by virtue of any provision of Part 4 (cases and circumstances when a SROC must not be issued); or
 - (iii) which was not generated from renewable sources,
 and which is used in the production of that hydrogen (regardless of where or by whom the hydrogen is produced).

Textual Amendments

F1 [Art. 24\(3\)\(aa\)](#) inserted (1.4.2013) by [The Renewables Obligation \(Scotland\) Amendment Order 2013](#) (S.S.I. 2013/116), arts. 1(1), **8** (with art. 29)

Calculating a generating station's renewable output

25.—(1) Subject to article 26, the renewable output of a generating station in any month is equal to—

- (a) where the input electricity used by the generating station during that month does not exceed 0.5 per cent of the gross output of that station during that month, A; and
- (b) in any other case,

$$A \times \frac{B}{C}$$

(2) In paragraph (1)—

- (a) A is equal to

$$C \times \frac{D}{E}$$

where—

- i C is the gross output of the generating station during the month in question;
- ii D is the energy content of all of the renewable sources used in generating that station's gross output during that month, less the energy content of—

- (aa) any fossil fuel from which those renewable sources are in part composed (other than fossil fuel from which a fuel the energy content of which is deducted by virtue of [F²sub-paragraphs (bb) and (dd)] is in part composed);
- (bb) any of those renewable sources which is Solid Recovered Fuel (other than Solid Recovered Fuel which constitutes biomass);
- (cc) F³
- (dd) except in the case of an excepted generating station, any of those renewable sources which is a gaseous fuel produced by means of gasification or pyrolysis and which has a gross calorific value when measured at 25 degrees Celsius and 0.1 megapascals at the inlet to the station of less than 2 megajoules per metre cubed;

iii E is the energy content of all of the fuels used in generating that station's gross output during that month;

(b) B is the gross output of that station during that month less the input electricity it uses during that month.

[F⁴(3) Paragraphs (4) to (4E) apply for the purposes of article 24 and Part 6.

(4) In any month where the renewable output of the station is generated in a single way, the proportion of the station's renewable output in that month which is generated using—

(a) pre-2013 capacity is

PN

;

(b) 2013/14 capacity is

QN

;

(c) 2014/15 capacity is

RN

;

(d) 2015/16 capacity is

SN

;

(e) post-2016 capacity is

TN

.

(4A) In any month where pre-2013 capacity forms all or part of the total installed capacity of a generating station and the renewable output of the station is generated in two or more ways, the proportion of the station's renewable output in that month which is generated in each of those ways using pre-2013 capacity—

(a) in the case of renewable output generated in the way described as “landfill gas heat recovery” in Schedule 2, is

MN×PN

;

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- (b) in the case of renewable output generated using mixed gas in the way described as “AD” in Schedule 2, is

$$HI \times JL \times PN$$

;

- (c) in the case of renewable output generated using mixed gas in the way described as “electricity generated from sewage gas” in Schedule 2, is

$$HI \times KL \times PN$$

;

- (d) in the case of renewable output generated in a way not falling within sub-paragraph (a), (b) or (c), is

$$FG \times PN$$

.

(4B) In any month where 2013/14 capacity forms all or part of the total installed capacity of a generating station and the renewable output of the station is generated in two or more ways, the proportion of the station’s renewable output in that month which is generated in each of those ways using 2013/14 capacity—

- (a) in the case of renewable output generated in the way described as “landfill gas heat recovery” in Schedule 2, is

$$MN \times QN$$

;

- (b) in the case of renewable output generated using mixed gas in the way described as “AD” in Schedule 2, is

$$HI \times JL \times QN$$

;

- (c) in the case of renewable output generated using mixed gas in the way described as “electricity generated from sewage gas” in Schedule 2, is

$$HI \times KL \times QN$$

;

- (d) in the case of renewable output generated in a way not falling within sub-paragraph (a), (b) or (c), is

$$FG \times QN$$

.

(4C) In any month where 2014/15 capacity forms all or part of the total installed capacity of a generating station and the renewable output of the station is generated in two or more ways, the proportion of the station’s renewable output in that month which is generated in each of those ways using 2014/15 capacity—

- (a) in the case of renewable output generated in the way described as “landfill gas heat recovery” in Schedule 2, is

$$MN \times RN$$

;

- (b) in the case of renewable output generated using mixed gas in the way described as “AD” in Schedule 2, is

$$HI \times JL \times RN$$

;

- (c) in the case of renewable output generated using mixed gas in the way described as “electricity generated from sewage gas” in Schedule 2, is

$$HI \times KL \times RN$$

;

- (d) in the case of renewable output generated in a way not falling within sub-paragraph (a), (b) or (c), is

$$FG \times RN$$

.

(4D) In any month where 2015/16 capacity forms all or part of the total installed capacity of a generating station and the renewable output of the station is generated in two or more ways, the proportion of the station’s renewable output in that month which is generated in each of those ways using 2015/16 capacity—

- (a) in the case of renewable output generated in the way described as “landfill gas heat recovery” in Schedule 2, is

$$MN \times SN$$

;

- (b) in the case of renewable output generated using mixed gas in the way described as “AD” in Schedule 2, is

$$HI \times JL \times SN$$

;

- (c) in the case of renewable output generated using mixed gas in the way described as “electricity generated from sewage gas” in Schedule 2, is

$$HI \times KL \times SN$$

;

- (d) in the case of renewable output generated in a way not falling within sub-paragraph (a), (b) or (c), is

$$FG \times SN$$

.

(4E) In any month where post-2016 capacity forms all or part of the total installed capacity of a generating station and the renewable output of the station is generated in two or more ways, the proportion of the station’s renewable output in that month which is generated in each of those ways using post-2016 capacity—

- (a) in the case of renewable output generated in the way described as “landfill gas heat recovery” in Schedule 2, is

$$MN \times TN$$

;

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- (b) in the case of renewable output generated using mixed gas in the way described as “AD” in Schedule 2, is

$$HI \times JL \times TN$$

;

- (c) in the case of renewable output generated using mixed gas in the way described as “electricity generated from sewage gas” in Schedule 2, is

$$HI \times KL \times TN$$

;

- (d) in the case of renewable output generated in a way not falling within sub-paragraph (a), (b) or (c), is

$$FG \times TN$$

- (5) In paragraphs (4) to (4E)—

- (a) F is the energy content of the renewable sources used when generating electricity in that way during that month less the energy content of—

- (i) any fossil fuel from which those renewable sources are in part composed (other than fossil fuel from which a fuel the energy content of which is deducted by virtue of paragraphs (ii) or (iii) is in part composed);
- (ii) any of those renewable sources which is Solid Recovered Fuel (other than Solid Recovered Fuel which constitutes biomass);
- (iii) except in the case of an excepted generating station, any of those renewable sources which is a gaseous fuel produced by means of gasification or pyrolysis and which has a gross calorific value when measured at 25 degrees Celsius and 0.1 megapascals at the inlet to the station of less than two megajoules per metre cubed;

- (b) G is the energy content of all of the renewable sources used in generating the station’s gross output during that month less the energy content of—

- (i) any fossil fuel from which those renewable sources are in part composed (other than fossil fuel from which a fuel the energy content of which is deducted by virtue of paragraphs (ii) or (iii) is in part composed);
- (ii) any of those renewable sources which is Solid Recovered Fuel (other than Solid Recovered Fuel which constitutes biomass);
- (iii) except in the case of an excepted generating station, any of those renewable sources which is a gaseous fuel produced by means of gasification or pyrolysis and which has a gross calorific value when measured at 25 degrees Celsius and 0.1 megapascals at the inlet to the station of less than two megajoules per metre cubed;

- (c) H is the energy content of the mixed gas used when generating the station’s renewable output during that month;

- (d) I is the energy content of all of the renewable sources used in generating the station’s renewable output during that month;

- (e) J is the dry mass of—

- (i) any waste which constitutes a renewable source (other than sewage); and
- (ii) any biomass (other than sewage),

from which the mixed gas used in generating the station's renewable output during that month is formed, less the dry mass of any digestible fossil fuel from which that waste or biomass is in part composed;

- (f) K is the dry mass of the sewage from which the mixed gas used in generating the station's renewable output during that month is formed;
 - (g) L is the dry mass of all of the material from which the mixed gas used in generating the station's renewable output during that month is formed, less the dry mass of any digestible fossil fuel from which that material is in part composed;
 - (h) M is the maximum capacity in that month at which the station could generate electricity in that way for a sustained period without causing damage to the station (assuming the heat used by the station to generate electricity was available to it without interruption);
 - (i) N is the total installed capacity of the station in that month;
 - (j) P is the total installed capacity of the pre-2013 capacity of the station in that month;
 - (k) Q is the total installed capacity of the 2013/14 capacity of the station in that month;
 - (l) R is the total installed capacity of the 2014/15 capacity of the station in that month;
 - (m) S is the total installed capacity of the 2015/16 capacity of the station in that month; and
 - (n) T is the total installed capacity of the post-2016 capacity of the station in that month.]
- (6) In this article—

“dry mass”, in relation to a fuel, means the mass of the fuel when any water present in it has been removed;

“excepted generating station” means a generating station—

- (a) which is accredited on or before 31st March 2011;
- (b) which, since being accredited, has not ceased to be accredited at any time; and
- (c) in respect of which, if it was not accredited as at 31st March 2009, preliminary accreditation was held on and from that date until the date on which it was accredited;

“gross output”, in relation to a generating station, means the total amount of electricity generated by that station;

“input electricity” has the same meaning as in article 24; and

“mixed gas” means gas formed by the anaerobic digestion of sewage together with—

- (a) waste which constitutes a renewable source (other than sewage); or
- (b) biomass (other than sewage).

[^{F5}(7) Any reference in this article to a way of generating renewable output is a reference to—

- (a) one of the ways of generating electricity described in Schedule 2;
- (b) generating electricity in the way described in article 28D(1)(c);
- (c) generating electricity in the way described in article 28E(1)(c);
- (d) generating electricity from renewable sources in a way not falling within sub-paragraphs (a), (b) or (c).]

Textual Amendments

F2 Words in art. 25(2)(a) substituted (1.4.2013) by [The Renewables Obligation \(Scotland\) Amendment Order 2013 \(S.S.I. 2013/116\)](#), arts. 1(1), **9(2)** (with art. 29)

F3 Words in art. 25(2)(a) omitted (1.4.2013) by virtue of [The Renewables Obligation \(Scotland\) Amendment Order 2013 \(S.S.I. 2013/116\)](#), arts. 1(1), **9(3)** (with art. 29)

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- F4 Art. 25(3)-(5) substituted (1.4.2013) by [The Renewables Obligation \(Scotland\) Amendment Order 2013 \(S.S.I. 2013/116\)](#), arts. 1(1), **9(4)** (with art. 29)
- F5 Art. 25(7) inserted (1.4.2013) by [The Renewables Obligation \(Scotland\) Amendment Order 2013 \(S.S.I. 2013/116\)](#), arts. 1(1), **9(5)** (with art. 29)

Renewable output of a qualifying combined heat and power generating station

26.—(1) For the purposes of determining the renewable output of a qualifying combined heat and power generating station in any month during which it generates electricity from waste (other than waste which constitutes biomass or is used for permitted ancillary purposes [^{F6}or is an advanced fuel] or is in the form of a liquid or gaseous fuel produced by means of ^{F7}...anaerobic digestion), article 25 applies subject to the following modifications.

(2) For paragraph (2)(a)(ii) of article , substitute—

“(ii) D is the energy content of all of the renewable sources used in generating that station's gross output during that month, less the energy content of—

(aa) any fossil fuel from which those renewable sources are in part composed (other than fossil fuel from which a fuel the energy content of which is deducted by virtue of [^{F8}sub-paragraph (cc)] is in part composed);

^{F9}(bb)

(cc) except in the case of an excepted generating station, any of those renewable sources which is a gaseous fuel produced by means of gasification or pyrolysis and which has a gross calorific value when measured at 25 degrees Celsius and 0.1 megapascals at the inlet to the station of less than 2 megajoules per metre cubed,

multiplied by the proportion which the qualifying power output of that station bears to its total power output;”.

[^{F10}(3) For paragraphs (5)(a) and (5)(b) of that article, substitute—

“(a) F is the energy content of the renewable sources used when generating electricity in that way during that month less the energy content of—

(i) any fossil fuel from which those renewable sources are in part composed (other than fossil fuel from which a fuel the energy content of which is deducted by virtue of paragraph (ii) is in part composed);

(ii) except in the case of an excepted generating station, any of those renewable sources which is a gaseous fuel produced by means of gasification or pyrolysis and which has a gross calorific value when measured at 25 degrees Celsius and 0.1 megapascals at the inlet to the station of less than two megajoules per metre cubed;

(b) G is the energy content of all of the renewable sources used in generating the station's gross output during that month less the energy content of—

(i) any fossil fuel from which those renewable sources are in part composed (other than fossil fuel from which a fuel the energy content of which is deducted by virtue of paragraph (ii) is in part composed);

(ii) except in the case of an excepted generating station, any of those renewable sources which is a gaseous fuel produced by means of gasification or pyrolysis and which has a gross calorific value when measured at 25 degrees Celsius and 0.1 megapascals at the inlet to the station of less than two megajoules per metre cubed;”.]

^{F11}(4)

Textual Amendments

- F6** Words in art. 26(1) inserted (1.4.2013) by [The Renewables Obligation \(Scotland\) Amendment Order 2013 \(S.S.I. 2013/116\)](#), arts. 1(1), **10(2)(a)** (with art. 29)
- F7** Words in art. 26(1) omitted (1.4.2013) by virtue of [The Renewables Obligation \(Scotland\) Amendment Order 2013 \(S.S.I. 2013/116\)](#), arts. 1(1), **10(2)(b)** (with art. 29)
- F8** Words in art. 26(2) substituted (1.4.2013) by [The Renewables Obligation \(Scotland\) Amendment Order 2013 \(S.S.I. 2013/116\)](#), arts. 1(1), **10(3)(a)** (with art. 29)
- F9** Words in art. 26(2) omitted (1.4.2013) by virtue of [The Renewables Obligation \(Scotland\) Amendment Order 2013 \(S.S.I. 2013/116\)](#), arts. 1(1), **10(3)(b)** (with art. 29)
- F10** Art. 26(3) substituted (1.4.2013) by [The Renewables Obligation \(Scotland\) Amendment Order 2013 \(S.S.I. 2013/116\)](#), arts. 1(1), **10(4)** (with art. 29)
- F11** Art. 26(4) omitted (1.4.2013) by virtue of [The Renewables Obligation \(Scotland\) Amendment Order 2013 \(S.S.I. 2013/116\)](#), arts. 1(1), **10(5)** (with art. 29)

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