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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Renewables Obligation (Scotland) Order 2009 (“the principal Order”). Most of the amendments relate to the use of biomass to generate electricity.

Article 3 inserts new definitions in article 2 of the principal Order, and amends or substitutes existing definitions.

Article 4 amends article 4 of the principal Order to add fuel derived from bacteria to the fuels which constitute biomass for the purposes of that Order.

Article 5 corrects a defect in article 21B(7)(a) of the principal Order.

Article 6 inserts article 22ZA into the principal Order. The effect of the insertion is to widen the circumstances in which SROCs must not be issued in respect of electricity generated from solid or gaseous biomass.

Article 7 amends article 22B of the principal Order to take account of the repeal of Council Regulation (EC) No 73/2009 (OJ L 030, 31.1.2009, p.16) by Regulation (EU) No 1307/2013 (OJ L 347, 20.12.2013, p.608). References to the first mentioned instrument are replaced with references to Regulation (EU) No 1306/2013.

Article 8 amends article 24 of the principal Order with regard to the circumstances in which SROCs are to be issued in respect of electricity generated from biomass.

Article 9 makes a minor amendment to remove a definition from article 30C which article 3 inserts in article 2 of the principal Order.

Article 10 amends article 30D of the principal Order with regard to the declaration to be made in accordance with paragraph (3). It also clarifies the meaning of “floating wind turbine”.

Article 11 substitutes article 54 of the principal Order and makes changes with regard to the information which has to be provided to the Gas and Electricity Markets Authority where electricity is generated from biomass.

Article 12 amends article 54B of the principal Order so that it no longer refers to biomass which is wholly derived from waste.

Article 13 inserts Schedule A1A into the principal Order. Schedule A1A contains provision on greenhouse gas emission criteria for solid and gaseous biomass.

Article 14 substitutes Schedule A2 to the principal Order. Schedule A2 contains provision on land criteria.

Article 15 omits Schedules 3A and 3B of the principal Order.

Articles 16 and 17 contain savings and transitional provision.

A full business and regulatory impact assessment of the effect this Order will have on the costs of business and the voluntary sector is available from the Scottish Government Energy Markets Unit, Directorate for Energy and Climate Change, 5 Atlantic Quay, 150 Broomielaw, Glasgow, G2 8LU.

**Changes to legislation:**

There are currently no known outstanding effects for the The Renewables Obligation (Scotland) Amendment Order 2015.