
DRAFT STATUTORY INSTRUMENTS

2011 No.

**The Renewable Transport Fuel
Obligations (Amendment) Order 2011**

Amendment of article 13 (power to require information)

10. After article 13, insert—

“Mass balance system

13A.—(1) A supplier must use a mass balance system in accordance with this article for the purposes of producing any information which the supplier is required to provide in pursuance of articles 12(4) and (7), and 13(5) and (7).

(2) In using a mass balance system, and notwithstanding articles 12(4)(a) and 7(a), and 13(5)(a) and (7)(b), a supplier may report that the relevant feedstock or fuel has sustainability characteristics other than its actual sustainability characteristics if the condition in paragraph (3) is met.

(3) That condition is that none of the relevant feedstock or fuel which is subject to that mass balance system is reported to have sustainability characteristics other than those attributed to it by that system.

(4) In this article, “report” means report under articles 12(4) and (7), and 13(5) and (7), and “reported” is to be construed accordingly.

(5) A mass balance system is a system which—

- (a) allows amounts of relevant feedstock or fuel with different sustainability characteristics to be mixed (“the mixture”);
- (b) provides for the sustainability characteristics of amounts added to the mixture to be attributed to other amounts withdrawn from the mixture; and
- (c) requires the sustainability characteristics attributed to the sum of the amounts withdrawn from the mixture to be the same, and in the same quantities, as the sustainability characteristics attributed to the sum of the amounts added to the mixture.

(6) For the purposes of paragraphs (2) to (5), the sustainability characteristics of relevant feedstock or fuel include—

- (a) its type;
- (b) its place of origin; and
- (c) any other matter relevant to its compliance with the sustainability criteria.”