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DRAFT STATUTORY INSTRUMENTS

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**2014 No.**

**The Domestic Renewable Heat  
Incentive Scheme Regulations 2014**

**PART 11**

**Powers and functions of the Secretary of State**

**Scheme review and evaluation**

**63.**—(1) The Secretary of State must keep the operation of the domestic RHI scheme under review.

(2) The Secretary of State may decide to select an accredited domestic plant for monitoring for the purpose of that review (“evaluation monitoring”).

(3) Where the Secretary of State makes a decision to select an accredited domestic plant for evaluation monitoring—

- (a) the Secretary of State must write to the participant who owns the accredited domestic plant to advise that it has been selected for evaluation monitoring; and
- (b) the Secretary of State may request entry at any reasonable hour to—
  - (i) inspect the accredited domestic plant and its associated infrastructure;
  - (ii) install any measuring instruments and related equipment (“metering equipment”) which the Secretary of State may consider necessary;
  - (iii) inspect any metering equipment installed under this regulation;
  - (iv) carry out meter readings or download any information recorded by the metering equipment;
  - (v) check, repair or replace any metering equipment;
- (c) the Secretary of State may request that the participant—
  - (i) assist with the maintenance of the meters or the taking of readings;
  - (ii) keep any records specified by the Secretary of State;
  - (iii) provide any information held by the participant that is required by the Secretary of State, including any information prepared by the certified installer who was responsible for the installation of the accredited domestic plant.

**Right of review of decisions by the Secretary of State**

**64.**—(1) Any participant aggrieved by a decision by the Secretary of State in the exercise of a function under regulation 63 may have that decision reviewed by the Secretary of State.

(2) An application for review must be made by notice in such format as the Secretary of State may require and must—

- (a) be received by the Secretary of State within 28 days of the date of receipt of notification of the decision being reviewed;
  - (b) specify the decision which that person wishes to be reviewed; and
  - (c) specify the grounds on which the application is made.
- (3) A person who has made an application in accordance with paragraph (2) must provide the Secretary of State with such information which is in that person's possession as the Secretary of State may reasonably request to allow the discharge of the Secretary of State's functions under this regulation.
- (4) On review the Secretary of State may—
- (a) affirm the decision;
  - (b) revoke or vary the decision.
- (5) Within 21 days of completing a review under this regulation, the Secretary of State must send the person who made the application a notice setting out its decision and giving reasons for that decision.