
DRAFT STATUTORY INSTRUMENTS

2014 No.

The Domestic Renewable Heat
Incentive Scheme Regulations 2014

PART 10

Inspection and enforcement

Revocation of sanctions

61.—(1) The Authority may at any time revoke a sanction imposed in accordance with this Part if it is satisfied that—

- (a) there was an error involved in the original imposition of the sanction; or
- (b) it is just and equitable in the particular circumstances of the case to do so.

(2) Where, as a result of the imposition of a sanction to which—

- (a) paragraph (1)(a) applies, a participant or former participant has been deprived of RHI payments to which the participant or former participant was entitled, the Authority must repay to the participant or former participant a sum equivalent to those payments;
- (b) paragraph (1)(b) applies, a participant or former participant has been deprived of RHI payments which the participant or former participant would otherwise have received, the Authority may repay to the participant or former participant a sum equivalent to those payments if in the Authority's view it is just and equitable in the particular circumstances of the case to do so.

(3) Within 21 days of a decision to revoke a sanction, the Authority must send a notice to the participant or former participant specifying—

- (a) the sanction which has been revoked;
- (b) the reason for the revocation; and
- (c) where paragraph (2) applies, the amount which will be repaid.

(4) In this regulation, “sanction” means an action taken by the Authority under regulation 57(1), 58(1), 59(2), 59(4) or 60(2).