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DRAFT STATUTORY INSTRUMENTS

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**2014 No.**

**The Renewable Heat Incentive Scheme  
(Amendment) Regulations 2014**

**Substitution of regulation 9 (eligible installations which are CHP systems)**

**10.** For regulation 9 substitute—

**“Eligible installations which are CHP systems**

**9.—**(1) This regulation applies if the plant is a CHP system which complies with the requirements in paragraphs (2) and (3).

(2) The requirements in this paragraph are that the CHP system generates heat and power from—

- (a) one of the sources of energy set out in paragraph (5) alone, or
- (b) solid biomass, solid biomass contained in waste or biogas, in combination with each other or with any other source of energy provided that—
  - (i) the combustion unit in which that solid biomass, solid biomass contained in waste or biogas is burned was first commissioned as part of a CHP system on or after 4th December 2013;
  - (ii) the combustion unit was new at the time of installation;
  - (iii) (except in relation to the use of solid biomass contaminated with fossil fuel) the combustion unit in which that solid biomass, solid biomass contained in waste or biogas is burned is a separate combustion unit from that in which any other fuel is burned.

(3) Where energy is supplied to the CHP system from a combustion unit in which solid biomass (excluding solid biomass contained in waste) is burned, the requirements in this paragraph are that—

- (a) the combustion unit is specifically designed and installed to use solid biomass as its only primary fuel source, and
- (b) where an application for accreditation relating to the combustion unit is made on or after the second relevant date, that combustion unit complies with the requirements in regulation 5(1)(d)(i) and (ii).

(4) The requirements in paragraph (2)(b)(i) and (ii) are deemed to be satisfied where the combustion unit was previously supplying energy for the generation of power only and the plant to which it supplies energy is first commissioned as a CHP system on or after 4th December 2013.

(5) The sources of energy referred to in paragraph (2)(a) are—

- (a) solid biomass (excluding solid biomass contained in waste);
- (b) solid biomass contained in waste;
- (c) biogas, provided that the combustion unit in which the biogas is burned does not generate heat from solid biomass;

(d) deep geothermal energy.”.