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DRAFT STATUTORY INSTRUMENTS

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**2018 No.**

**The Renewable Heat Incentive Scheme Regulations 2018**

**PART 3**

**Accreditation, registration and tariff guarantees**

**Applications for accreditation**

**30.**—(1) An owner of a plant, including a plant which is additional RHI capacity, may apply for it to be accredited.

(2) All applications for accreditation must be made in writing to the Authority and must be supported by—

- (a) such of the information specified in Schedule 2 as the Authority may require;
- (b) a declaration that the information provided by the applicant is accurate to the best of the applicant's knowledge and belief;
- (c) a declaration that the applicant is the owner, or one of the owners, of the plant for which accreditation is being sought;
- (d) if the plant is a large installation, a declaration as to the total heat in kWhth which the applicant expects that plant to generate each year for eligible purposes; and
- (e) any other declarations which the Authority reasonably requires in order to allow the application to be determined.

(3) The Authority must, where the plant is owned by more than one person, require that—

- (a) an application submitted under this regulation is made by only one of those owners;
- (b) the applicant has the authority from all other owners to be the participant for the purposes of the Scheme; and
- (c) the applicant provides to the Authority, in such manner and form as the Authority may request, evidence of that authority.

(4) Where the Authority considers that further information is necessary for the purpose of determining an application it may by notice—

- (a) specify further information which the applicant is required to provide under Schedule 2;
- (b) specify a period of no less than four weeks starting with the date of the notice within which that information must be provided; and
- (c) inform the applicant that failure to provide the requested information within that period may result in the application being rejected.

(5) The Authority may by notice extend the period specified in a notice under paragraph (4)(b) where it is satisfied that it is reasonable to do so.

(6) The Authority may reject an application for accreditation if, within the period specified under paragraph (4)(b) or, where applicable, paragraph (5), the applicant has failed to provide the information specified in a notice given under paragraph (4).

(7) Before accrediting a plant, the Authority may request entry to the site without notice at any reasonable hour to carry out site inspections, in order to satisfy itself that the plant should be accredited.

(8) The Authority may, in granting accreditation, attach such conditions as it considers to be appropriate.

(9) Where an application for accreditation has, in the Authority's opinion, been properly made and the Authority is satisfied that the plant is an eligible installation the Authority must (subject to paragraphs (12) to (14) and regulations 31 and 81(4))—

- (a) accredit the eligible installation;
- (b) notify the applicant in writing that the application has been successfully completed and the applicant is a participant;
- (c) enter on a central register maintained by the Authority the applicant's name and such other information as the Authority considers necessary for the proper administration of the Scheme;
- (d) notify the applicant of any conditions attached to the accreditation;
- (e) in relation to an applicant who is or will be generating heat from solid biomass or solid biomass contained in waste, having regard to the information provided by the applicant, specify by notice to the applicant which of regulation 37, 38 or 39 applies;
- (f) provide the applicant with a written statement ("statement of eligibility") including the following information—
  - (i) the date of accreditation;
  - (ii) the tariff which will apply;
  - (iii) the process and timing for providing meter readings;
  - (iv) details of the frequency and timetable for periodic support payments; and
  - (v) the tariff lifetime and tariff end date.

(10) Where the Authority does not accredit a plant it must notify the applicant in writing that the application for accreditation has been rejected, giving reasons.

(11) Once a specification made in accordance with paragraph (9)(e) has been notified to an applicant, it cannot be changed except where the Authority considers that an error has been made or on the receipt of new information by the Authority which demonstrates that the specification should be changed.

(12) The Authority—

- (a) must not accredit an eligible installation if it has not been commissioned;
- (b) may reject an application to accredit an eligible installation where the Authority rejected a previous application for accreditation made by the applicant, or a connected person, on the ground that information contained in the previous application was incorrect or misleading in a material particular.

(13) The Authority may refuse to accredit an eligible installation where it considers that one or more of the applicable ongoing obligations will not be complied with.

(14) The Authority must not accredit a plant if—

- (a) it is, or at any time has been, an accredited domestic plant;
- (b) an application for accreditation of the plant has been made under the Domestic Renewable Heat Incentive Scheme Regulations 2014<sup>(1)</sup> and that application has not been withdrawn by the applicant or rejected by the Authority;

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(1) [S.I. 2014/928](#), to which there are amendments not relevant to these Regulations.

- (c) it provides heat to the same property as an accredited domestic plant or a plant for which an application for accreditation under those Regulations has been made which has not been withdrawn or rejected;
  - (d) the applicant refused to allow the Authority access to the site for the purposes of a site inspection under paragraph (7), and—
    - (i) the Authority is not satisfied that the refusal was reasonable; and
    - (ii) any subsequent access granted by the applicant for the purposes of a site inspection was not sufficient to enable the Authority to satisfy itself that the plant should be accredited.
- (15) In this regulation “accredited domestic plant” has the meaning given by regulation 2(1) of the Domestic Renewable Heat Incentive Scheme Regulations 2014.