
DRAFT STATUTORY INSTRUMENTS

2018 No.

The Renewable Heat Incentive Scheme Regulations 2018

PART 6

Changes affecting accredited RHI installations and registered producers

Changes in ownership

54.—(1) This regulation applies where ownership of all or part of an accredited RHI installation is transferred to another person.

(2) No periodic support payment may be made to a new owner until—

- (a) that owner has notified the Authority of the change in ownership; and
- (b) the steps set out in paragraph (4) have been completed.

(3) On receipt of a notification under paragraph (2), the Authority—

- (a) may require the new owner to provide such information as the Authority considers necessary for the proper administration of the Scheme;
- (b) may review the accreditation of the accredited RHI installation to ensure that it continues to meet the eligibility criteria and should remain an accredited RHI installation.

(4) Where the Authority has received notification under paragraph (2)(a), such information as has been required under paragraph (3)(a), if any, and, where a review has been carried out, is satisfied as to the matters specified in paragraph (3)(b), it must—

- (a) update the central register referred to in regulation 30(9)(c);
- (b) where the new owner is to become the participant, send the new owner a statement of eligibility setting out the information specified in regulation 30(9)(f); and
- (c) where applicable, send the new owner (if the new owner is to become the participant) a notice in accordance with regulation 30(9)(e).

(5) If the Authority becomes aware of the transfer of ownership of an accredited RHI installation and, within a period of 12 months commencing with the date of the transfer of ownership taking effect—

- (a) no notification is made in accordance with paragraph (2)(a); or
- (b) any information required under paragraph (3)(a) is not provided to the Authority,

the installation will on the expiry of that period cease to be accredited and accordingly no further periodic support payments may be made in respect of the heat it generates.

(6) The period specified in paragraph (5) may be extended by the Authority where the Authority considers it is just and equitable to do so.

(7) Subject to paragraph (8), if the steps required under paragraph (4) are completed, the new owner of an accredited RHI installation must be paid periodic support payments calculated from the date of completion of those steps for the remainder of the tariff lifetime of that accredited RHI installation in accordance with these Regulations.

(8) Where a transfer of ownership of all or part of an accredited RHI installation takes place and results in that accredited RHI installation being owned by more than one person, the Authority may require that only one of those owners is the participant for the purposes of the Scheme and require that owner to comply with sub-paragraphs (b) and (c) of regulation 30(3).