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DRAFT STATUTORY INSTRUMENTS

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**2018 No.**

**The Renewable Heat Incentive Scheme Regulations 2018**

**PART 7**

**Periodic support payments**

**Tiered tariffs**

- 63.**—(1) Paragraphs (2) to (6) apply where an accredited RHI installation—
- (a) has an installation capacity of less than 1MWth and generates heat from biomass;
  - (b) has an installation capacity of 1MWth or above, generates heat from biomass and has a tariff start date on or after 14th December 2016;
  - (c) is a ground source heat pump with a tariff start date on or after 28th May 2014; or
  - (d) is a shared ground loop system.
- (2) Where pursuant to regulations 60 to 62 and Schedule 6 a tiered tariff is, or is to be used in calculating, the initial tariff or subsequent tariff for the accredited RHI installation, the applicable tier of that tiered tariff is—
- (a) tier 1, in relation to the initial heat generated by the accredited RHI installation in a relevant period and used for eligible purposes; and
  - (b) tier 2, in relation to all further heat generated by that installation in that same relevant period and used for eligible purposes.
- (3) In relation to an accredited RHI installation with an installation capacity of less than 1MWth which generates heat from biomass—
- (a) where the tariff start date is before 20th September 2017, “initial heat” means the heat in kWhth generated by the accredited RHI installation running at its installation capacity for 1,314 hours;
  - (b) where the tariff start date is on or after 20th September 2017, “initial heat” means the heat in kWhth generated by the accredited RHI installation running at its installation capacity for 3,066 hours.
- (4) In relation to an accredited RHI installation which generates heat from biomass with an installation capacity of 1MWth or above, “initial heat” means the heat in kWhth generated by the accredited RHI installation running at its installation capacity for 3,066 hours.
- (5) In relation to an accredited RHI installation which is a ground source heat pump, “initial heat” means the heat in kWhth generated by that installation running at its installation capacity for 1,314 hours.
- (6) In relation to an accredited RHI installation which is a shared ground loop system, “initial heat” means—
- (a) in respect of any ground source heat pumps installed in domestic premises which form part of the shared ground loop system, the lower of—

- (i) the heat in kWhth generated by each of those ground source heat pumps running at its installed peak heat output capacity for 1,314 hours; or
  - (ii) the heat demand for space heating and water heating specified in the relevant EPC for that property (where “heat demand” and “relevant EPC” have the same meaning as in regulation 70);
- (b) in respect of all other ground source heat pumps which form part of that shared ground loop system, the heat in kWhth generated by each ground source heat pump running at its installed peak heat output capacity for 1,314 hours.
- (7) Paragraphs (8) and (9) apply where, on or after the date on which these Regulations come into force, a registered participant produces biomethane with a tariff start date on or after 12th February 2015.
- (8) Where pursuant to regulations 60 to 62 and Schedule 6 a tiered tariff is, or is to be used in calculating, the initial tariff or subsequent tariff for the biomethane, the applicable tier of that tiered tariff is—
- (a) tier 1, in relation to initial biomethane;
  - (b) tier 2, in relation to secondary biomethane; and
  - (c) tier 3, in relation to tertiary biomethane.
- (9) In paragraph (8)—
- (a) “initial biomethane” means the amount of eligible biomethane measured in megawatt hours which is injected in a relevant period, up to 40,000 megawatt hours;
  - (b) “secondary biomethane” means the amount of eligible biomethane measured in megawatt hours injected in a relevant period, in excess of the initial biomethane, up to an additional 40,000 megawatt hours; and
  - (c) “tertiary biomethane” means the amount of eligible biomethane measured in megawatt hours injected in the relevant period in excess of the secondary biomethane.
- (10) Where a guaranteed tariff applies in relation to an accredited RHI installation or the production of biomethane for injection—
- (a) heat in excess of 250GWh in any relevant period is further heat for the purposes of paragraph (2)(b); and
  - (b) biomethane in excess of 250GWh in any relevant period is tertiary biomethane for the purposes of paragraph (8)(c).
- (11) In this regulation—
- “applicable tier”, in relation to a tiered tariff, means the numbered tier of that tariff, the rate for which applies in determining the initial tariff or subsequent tariff for an accredited RHI installation or for biomethane production;
- “relevant period”—
- (a) except as provided in paragraph (b), means the 12 month period commencing with, or with the anniversary of, the tariff start date; or
  - (b) where the accredited RHI installation has an installation capacity of 1MWth or above, generates heat from biomass and has a tariff start date on or after 14th December 2016 but before 20th September 2017, means—
    - (i) the period commencing with 20th September 2017 and ending with the day before the anniversary of the tariff start date; and
    - (ii) thereafter, the 12 month period commencing with the anniversary of the tariff start date;

“tiered tariff” means a tariff in Schedule 6 for which different rates are specified for numbered tiers.