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DRAFT STATUTORY INSTRUMENTS

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**2021 No.**

**The Renewable Transport Fuel  
Obligations (Amendment) Order 2021**

**PART 2**

**Amendment of the Renewable Transport Fuel Obligations Order 2007**

**Amendment of article 2**

5. In article 2(1)—
- (a) for the definition of “additional sustainability information” substitute—  
““additional sustainability information” means the information specified in the guidance published by the Administrator under article 15(1)(m);”;
  - (b) in the definition of “assessment time”—
    - (i) in sub-paragraph (b), for “is it sold to a retail” substitute “it is sold to a”;
    - (ii) in sub-paragraph (c), after “transport fuel” insert “, not falling within sub-paragraph (b),”;
    - (iii) in sub-paragraph (d), for “(b) or (c)” substitute “(b), (c) or (e)”;
    - (iv) after sub-paragraph (d) insert—
      - “(e) in relation to a maritime RFNBO, the time at which the RFNBO is dispensed for use in a ship;”;
  - (c) for the definition of “the directive” substitute—
    - ““forest biomass” means biomass produced from forestry;
    - “forest criteria” means the criteria set out in Schedule 3;
    - “GHG” means greenhouse gas;”;
  - (d) after the definition of “issue of an additional RTF certificate” insert—
    - ““land criteria” means the criteria set out in Schedule 2;”
  - (e) in the definition of “non-road transports”, after sub-paragraph (d) insert—
    - “(e) any train not falling within sub-paragraph (a);
    - (f) any mode of transport that would fall within sub-paragraph (a) but for the fact it is not fitted with an engine within a category set out in paragraph 1 of Article 4 of Regulation (EU) 2016/1628 of the European Parliament and of the Council of 14 September 2016 on requirements relating to gaseous and particulate pollutant emission limits and type-approval for internal combustion engines for non-road mobile machinery;”(1);

- (f) in the definition of “relevant crops”, for “feedstocks listed in Annex IX of the directive” substitute “dedicated energy crops”;
- (g) for the definition of “renewable energy obligation” substitute—
- ““renewable energy obligation” means a scheme, including a scheme under which such requirements may be fulfilled by using RTF certificates or certificates equivalent to RTF certificates, requiring—
- (a) energy producers to include a given share of energy from renewable sources in their production;
  - (b) energy suppliers to include a given share of energy from renewable sources in their supply; or
  - (c) energy consumers to include a given share of energy from renewable sources in their consumption;”;
- (h) after the definition of “RTF account” insert—
- ““ship” includes every description of vessel used in navigation, other than non-road transports;
- “soil carbon criteria” means the criteria in paragraph 2(2) of Schedule 1;
- “support scheme” means any instrument, scheme or mechanism applied by an EEA state, a group of EEA states or the United Kingdom, that promotes the use of energy from renewable sources by—
- (a) reducing the cost of that energy;
  - (b) increasing the price at which that energy can be sold; or
  - (c) increasing, by means of a renewable energy obligation or otherwise, the volume of such energy purchased,
- and for this purpose “instrument, scheme or mechanism” includes investment aid, tax exemptions or reductions, tax refunds, renewable energy obligations, and direct price schemes including feed-in tariffs and sliding or fixed premium payments;”;
- (i) in the definition of “sustainability criteria”, for “the Schedule” substitute “Schedule 1”;
- (j) for the definition of “sustainable feedstock” substitute—
- ““sustainable feedstock” means a relevant feedstock, which—
- (a) to the extent that it consists of material other than forest biomass, residues from agriculture or wastes from agriculture, meets the land criteria;
  - (b) to the extent that it consists of forest biomass, meets the forest criteria;
  - (c) to the extent that it consists of residues from agriculture or wastes from agriculture, meets the land criteria and the soil carbon criteria;”.