



# Northern Ireland (Regional Rates and Energy) Act 2019

## 2019 CHAPTER 13

### *Renewable heat incentive scheme*

#### **3 Tariffs for periodic support payments**

- (1) In regulation 36(3) for “(7B)” substitute “(7C)”.
- (2) In regulation 36(5)—
  - (a) for “(7B)” substitute “(7C)”;
  - (b) for “or 4” substitute “, 4 or 5”.
- (3) In regulation 36(6) for “(7B)” substitute “(7C)”.
- (4) In regulation 36(7) after “(7B)” insert “or (7C)”.
- (5) In regulation 36(7A) after “accredited on or after 18th November 2015” insert “, other than installations to which paragraph (7C) applies”.
- (6) In regulation 36 after paragraph (7B) insert—
  - “(7C) The tariffs for installations (whether accredited before or after the coming into operation of section 3 of the Northern Ireland (Regional Rates and Energy) Act 2019) falling within the small or medium biomass tariffs set out in Schedule 5—
    - (a) for the period beginning with 1st April 2019 and ending with 31st March 2020, are the tariffs set out in Schedule 5;
    - (b) for each subsequent year commencing with 1st April and ending with the next 31st March, are the tariffs applicable on the immediately preceding 31st March adjusted by the percentage increase or decrease in the consumer prices index for the previous calendar year (the resulting figure being rounded to the tenth of a penny, with any twentieth of a penny being rounded upwards).
  - (7D) For the purposes of paragraph (7C) “the consumer prices index” means—

- (a) the consumer prices index calculated and published by the Office for National Statistics; or
  - (b) where the index is not published for a year, any substituted index or figures published by that Office.”
- (7) In regulation 36(8) for “(7B)” substitute “(7C)”.
- (8) In regulation 36(9A) after “set out in Schedule 3A” insert “and the tariff for the installation falls to be determined for the period mentioned in paragraph (7B)”.
- (9) In regulation 36 after paragraph (9A) insert—
  - “(9B) Where an accredited RHI installation falls within the small biomass tariff set out in Schedule 5—
    - (a) the tariff for the initial heat generated by the installation in any 12 month period commencing with, or with the anniversary of, the date of accreditation (regardless of whether that date falls before or after the coming into operation of section 3 of the Northern Ireland (Regional Rates and Energy) Act 2019) is the Tier 1 tariff specified in Schedule 5;
    - (b) the tariff for further heat generated in that same 12 month period is the relevant Tier 2 tariff specified in Schedule 5.
  - (9C) Where an accredited RHI installation falls within either of the medium biomass tariffs set out in Schedule 5—
    - (a) the tariff for the initial heat generated by the installation in any 12 month period commencing with, or with the anniversary of, the date of accreditation (regardless of whether that date falls before or after the coming into operation of section 3 of the Northern Ireland (Regional Rates and Energy) Act 2019) is the relevant tariff specified in Schedule 5; and
    - (b) any further heat generated in that same 12 month period shall not be eligible for periodic payments.”
- (10) In regulation 36(10) for “and (9A)” substitute “to (9C)”.
- (11) In Schedules 3 and 4 omit the entries relating to small and medium biomass installations.
- (12) After Schedule 4 insert the Schedule set out in the Schedule to this Act.
- (13) Nothing in this section has effect in relation to periodic support payments (within the meaning of the 2012 Regulations) for heat generated before this section comes into force.