

SCHEDULE 1

Articles 2(1) and 6(2)

AMOUNT OF THE RENEWABLES OBLIGATION

<i>Obligation period</i>	<i>Percentage of total supplies</i>
1st April 2005 to 31st March 2006	5.5
1st April 2006 to 31st March 2007	6.7
1st April 2007 to 31st March 2008	7.9
1st April 2008 to 31st March 2009	9.1
1st April 2009 to 31st March 2010	9.7
1st April 2010 to 31st March 2011	10.4
1st April 2011 to 31st March 2012	11.4
1st April 2012 to 31st March 2013	12.4
1st April 2013 to 31st March 2014	13.4
1st April 2014 to 31st March 2015	14.4
1st April 2015 to 31st March 2016	15.4
Each subsequent period of twelve months ending with the period of twelve months ending on 31st March 2027	15.4

SCHEDULE 2

Article 4

THE REGISTER

1. The Authority shall maintain the Register (which may be in electronic form) at any of its premises.
2. Particulars of a ROC comprise—
 - (a) the name of the person to whom the Authority issues the ROC or, where the Authority has amended the Register in dealing with a request for substitution in accordance with paragraph 6, the name of the substitute (“the registered holder”); and
 - (b) an identifier unique to the ROC (“the ROC identifier”) determined by the Authority and containing the following information (or reference to that information in coded format)—
 - (i) the month and year during which the electricity was generated;
 - (ii) the location of the generating station;
 - (iii) a description of the generating station including reference to the eligible renewable source or sources used to generate electricity by that generating station;
 - (iv) the date of issue of the ROC; and
 - (v) the ROC sequence number determined by the Authority in accordance with article 4(9) or 5(4).
3. A person may only be the registered holder of a ROC or have an entry made and maintained in respect of them under article 4(4)(b) if they provide to the Authority in writing—
 - (a) evidence of their identity; and

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- (b) details of persons authorised to act on their behalf in respect of the production of ROCs as the evidence or part of the evidence required under article (1) and in respect of requests for amendments to be made to the Register as provided for in this Schedule.
4. The Authority may from time to time draw up procedural guidelines for itself and others to assist it in maintaining the Register and carrying out its functions in respect thereof.
5. The Authority shall delete from the Register any ROC which—
- (a) has been revoked in accordance with article 5;
 - (b) has in accordance with article 3(3) or article 9 been produced as evidence or as part of the evidence required under article 3(1);
 - (c) is no longer eligible to be produced as evidence or as part of the evidence required under article 3(1);
 - (d) the registered holder requests should be deleted; or
 - (e) the Northern Ireland Authority has notified the Authority has been produced to the Northern Ireland Authority by a Northern Ireland supplier under a NIRO Order;
- and where it is so deleted, the ROC cannot thereafter be produced as the evidence or part of the evidence required under article 3(1).
6. Where the registered holder of a ROC and a person whom he wishes to be the substitute (as defined in this paragraph) require in respect of a particular ROC that the Register be amended, by substituting for the name of the registered holder the name of a second person (“the substitute”), (who shall be a person whose name is included on the list maintained pursuant to article 4(4)(b))—
- (a) the registered holder and the person whom he wishes to be the substitute shall each submit to the Authority in writing requests which are identical in all material respects and which include the ROC identifier of the ROC to which the request relates; and
 - (b) the Authority shall, in any September, within 10 banking days and in all other instances, within 5 banking days after the banking day on which it is first in receipt at the commencement of its working hours of requests which comply with paragraph 6(a) amend the particulars of the ROC recorded in the Register to show the substitute as the registered holder.
7. Where the Authority receives in writing a request for substitution it shall inform both the registered holder of the ROC and the substitute named therein that the request has been received and, in the event that the requests from the registered holder of the ROC and the person whom he wishes to be the substitute are not identical in all material respects or do not include the ROC identifier of the ROC, shall draw this to their attention.
8. Where a ROC is issued in accordance with article 4 or a replacement ROC is issued in accordance with article 5 or a substitute is recorded as the registered holder pursuant to paragraph 6, the Authority shall notify the registered holder (in the case of a ROC or a replacement ROC being issued) and the former and new registered holder (in the case of a substitution) in writing within 5 banking days of the issue or substitution having taken place.
9. The substitute shall not be the registered holder of the ROC until such time as the particulars of the ROC recorded in the Register identify him as such.
10. The Register may be amended by a decision of the Authority—
- (a) where the Authority is satisfied that an entry in the Register has been obtained by fraud;
 - (b) where a decision of a Court of competent jurisdiction or the operation of law requires the amendment of the Register;

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(c) in any other case where by reason of any error or omission on the part of the Authority it is necessary to amend the Register.

11. The contents of the Register (including the entries referred to in article 4(4)(b)) shall be available for inspection by the public on request at reasonable notice during the Authority's working hours and at the request of any person the Authority shall provide a written statement of any entry on the Register including any entry referred to in article 4(4)(b).

12. Where any person considers that an entry maintained in respect of him under article 4(4)(b) should be amended or deleted, he may apply to the Authority in writing requesting that the entry be amended or deleted.

13. The Authority shall in any procedural guidelines which it produces provide details of its usual working hours.

SCHEDULE 3

Articles 2(1)

M1

and 8

CONDITIONS OF ELIGIBILITY FOR NIROCS

Marginal Citations

M1 See the definition of "eligible NIROC".

1. The electricity to which the NIROC relates was generated from renewable sources.
2. The electricity was generated in Northern Ireland (which for the purposes of this paragraph shall not include any part of the territorial sea of the United Kingdom).
3. The electricity to which the NIROC relates was not generated by a generating station that is a large hydro generating station unless it was first commissioned after 1st April 2002.
4. Subject to paragraphs 5 and 6, the electricity to which the NIROC relates was not generated by a generating station (other than a micro hydro generating station) that was first commissioned before 1st January 1990 and where the main components of that generating station have not been renewed since 31st December 1989 as described in paragraph 17.
5. Paragraph 4 shall not apply in relation to a NIROC issued in respect of electricity generated by a generating station that during the month to which the NIROC relates was fuelled partly by fossil fuel and partly by biomass (and by no other fuel).
6. Paragraph 4 shall not apply in relation to a NIROC issued in respect of electricity generated by a generating station that during the month to which the NIROC relates was fuelled wholly by biomass, if –
 - (a) prior to 1st April 2003 at least 75 per cent of the energy content of the fuel by which it was fuelled was derived from fossil fuel; and
 - (b) during no month (being a month after March 2004) after the first month during which the generating station was fuelled wholly by biomass has the energy content of the fuel by which it was fuelled been derived as to more than 75 per cent from fossil fuel.
7. The electricity to which the NIROC relates was not generated by a generating station that in the month to which the NIROC relates was fuelled wholly or partly by waste unless –

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- (a) the only waste or wastes by which it is fuelled in that month is or are biomass or liquids comprised wholly or mainly of hydrocarbon compounds; or
- (b) all the waste by which it is fuelled in that month which is not biomass has first been manufactured into fuel which is in either a gaseous or liquid form (or both) by means of plant and equipment using advanced conversion technologies only.

8. The electricity to which the NIROC relates was not generated by a generating station that in the month to which the NIROC relates was fuelled partly by fossil fuel and partly by any other fuel (or fuels) other than biomass.

9. After 31st March 2009, the electricity to which the NIROC relates was not generated by a generating station that during the month to which the NIROC relates was fuelled partly by fossil fuel and partly by biomass (and by no other fuel) if during that month, less than the specified percentage of the energy content of the biomass derives from energy crops.

10. In paragraph 9, “the specified percentage” means, in respect of any month from 1st April 2009 until 31st March 2010, 25 per cent; in respect of any month from 1st April 2010 until 31st March 2011, 50 per cent; and in respect of any month from 1st April 2011 until 31st March 2016, 75 per cent.

11. After 31st March 2016, the electricity to which the NIROC relates was not generated by a generating station that during the month to which the NIROC relates was fuelled partly by fossil fuel and partly by biomass (and by no other fuel).

12. The electricity to which the NIROC relates was not generated by a generating station that during the month to which the NIROC relates was fuelled wholly or partly by peat.

13. The electricity to which the NIROC relates was not generated by a generating station that during the month to which the NIROC relates was fuelled wholly or partly by any substance derived directly or indirectly from any of the substances referred to in article 11(15)(a)(i) unless that substance is a substance falling within article 11(15)(a)(ii) or it is waste or a component of biomass.

14. The electricity to which the NIROC relates was not generated by a generating station that during the month to which the NIROC relates was fuelled wholly or partly by waste where all the waste which is neither biomass nor liquids comprised wholly or mainly of hydrocarbon compounds is or is derived directly or indirectly from one or more of the substances referred to in article 11(15)(a)(i).

15.

- (a) This paragraph applies where:
 - (i) a qualifying arrangement (“the applicable qualifying arrangement”) provided for the building of a generating station at a specified location (“the location”);
 - (ii) the applicable qualifying arrangement was terminated due to the operator of the generating station to which it applied having committed an unremedied breach of it; and
 - (iii) the last period in the tables contained in Schedule 1 to the Non-Fossil Fuel Order which relates to the applicable qualifying arrangement has not expired.
- (b) If this paragraph applies then it is a condition of eligibility that the electricity to which the NIROC relates was not generated by a generating station that is situated at the location and to which the applicable qualifying arrangement applied at the time it was commissioned, or which is owned or operated by a person who was a party to the applicable qualifying arrangement (or who is a connected person or a linked person in relation to any such party).

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- (c) This paragraph does not apply to a NIROC relating to electricity generated by a generating station which, during the month in question, generates only electricity which is sold pursuant to another extant qualifying arrangement.
- (d) In this paragraph and in paragraph 16, in relation to a person who is a party to the applicable qualifying arrangement (“the first person”), another person (“the second person”) is a “linked person” where the second person has given or has arranged to give or has ensured or has arranged to ensure that the first person is given, a financial or other inducement relating to any right or interest in, or in respect of, the construction or operation of a generating station at the location.
- (e) The references in sub-paragraph (d) to the first person and the second person shall include any person who is a connected person in relation to either of them.

16.

- (a) This paragraph applies where an extant qualifying arrangement (“the applicable qualifying arrangement”) provides for the building of a generating station (“the specified station”) at a specified location (“the location”) and the specified station has not been commissioned.
- (b) If this paragraph applies then it is a condition of eligibility that the electricity to which the NIROC relates was not generated by a generating station which is situated at the location and which is owned or operated by a person who is a party to the applicable qualifying arrangement, or is a connected person or a linked person in relation to any such party.
- (c) This paragraph does not apply to a NIROC relating to electricity generated by a generating station which, during the month in question, generates only electricity which is sold pursuant to another extant qualifying arrangement.

17. For the purposes of paragraph 4, the main components of a generating station shall only be regarded as having been renewed since 31st December 1989 where –

- (a) in the case of a hydro generating station the following parts have been installed in the generating station after 31st December 1989 and were not used for the purpose of electricity generation prior to that date –
 - (i) either all the turbine runners or all the turbine blades or the propeller; and
 - (ii) either all the inlet guide vanes or all the inlet guide nozzles; or
- (b) in the case of any other generating station all the boilers and turbines (driven by any means including wind, water, steam or gas) have been installed in the generating station after 31st December 1989 and were not used for the purpose of electricity generation prior to that date.

18. The following terms shall have the meanings given below where they appear in this Schedule:

- (a) “fossil fuel” has the meaning given by article 11(15)(a);
- (b) “Non-Fossil Fuel Orders” has the meaning that it has in the NIRO Order under which the NIROC was issued;
- (c) “qualifying arrangement” has the meaning that it has in the NIRO Order under which the NIROC was issued;
- (d) “renewable sources” means sources of energy other than fossil fuel or nuclear fuel, but includes waste of which not more than a specified proportion is waste which is, or is derived from, fossil fuel;
- (e) “specified” means specified in this Schedule;
- (f) “waste” is to be regarded as including anything derived directly or indirectly from waste (as that term is defined in article 2(1)).

19.

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- (a) This paragraph applies to a generating station in respect of which the operator has given notice under a NIRO Order which, had that notice been given in respect of a station to which article 4(15) applies, would have constituted notice under article 4(15)(b), and where the operator has not done anything that, had it been done in respect of a station to which article 4(15) applies, would have constituted withdrawal of that notice under article 4(15)(e).
- (b) In the case of a generating station to which this paragraph applies the reference to “month” in each place where it occurs in this Schedule shall be taken to be a reference to “obligation period” where “obligation period” has the meaning that it has in the NIRO Order under which the NIROC in question was issued.

SCHEDULE 4

Article 18(23)(i)

AMOUNT OF RELEVANT SHORTFALL FOR EACH OBLIGATION PERIOD

<i>Obligation Period</i>	<i>Amount</i>
1st April 2005 to 31st March 2006	£5,500,000
1st April 2006 to 31st March 2007	£6,700,000
1st April 2007 to 31st March 2008	£7,900,000
1st April 2008 to 31st March 2009	£9,100,000
1st April 2009 to 31st March 2010	£9,700,000
1st April 2010 to 31st March 2011	£10,400,000
1st April 2011 to 31st March 2012	£11,400,000
1st April 2012 to 31st March 2013	£12,400,000
1st April 2013 to 31st March 2014	£13,400,000
1st April 2014 to 31st March 2015	£14,400,000
1st April 2015 to 31st March 2016	£15,400,000
Each subsequent period of twelve months ending with the period of twelve months ending on 31st March 2027	£15,400,000

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Changes and effects yet to be applied to :

- [Instrument rev by S.I. 2006/1004 art 32](#)