

STATUTORY INSTRUMENTS

2012 No. 2782

The Feed-in Tariffs Order 2012

[^{F1}PART 5A

Treatment of FIT generators following licence revocation

Textual Amendments

F1 Pt. 5A inserted (1.7.2013) by [The Feed-in Tariffs \(Amendment\) Order 2013 \(S.I. 2013/1099\)](#), arts. 1, 5

Accredited FIT installations

24A.—(1) Paragraph (2) applies where—

- (a) a specified event has happened in relation to a FIT licensee (“A”);
- (b) immediately before the event a FIT generator (“P”), or P’s nominated recipient, was entitled to receive FIT payments from A in respect of an accredited FIT installation; and
- (c) another FIT licensee (“B”)—
 - (i) (where B is a mandatory FIT licensee) has received a notification from P that P is to transfer to B for FIT payments in respect of an accredited FIT installation; or
 - (ii) (where B is a voluntary FIT licensee) has received a request from P to transfer to B for FIT payments in respect of that installation and B has accepted that request in writing to P.

(2) Where this paragraph applies—

- (a) the Authority may give a direction to B (“a continuity of FIT payments direction”) as to the matters to be taken into account by B in determining the date upon which P shall be deemed to have transferred from A to B in respect of the installation referred to in paragraph (1); and
- (b) the date determined by B may be earlier than the date of the notification or the request referred to in paragraph (1)(c).

(3) For the purposes of paragraph (1), a specified event has happened in relation to A if—

- (a) A’s electricity supply licence is revoked;
- (b) a last resort supply direction is issued due to circumstances having arisen entitling the Authority to revoke A’s electricity supply licence; or
- (c) A suffers an insolvency event.

Other installations not yet accredited

24B.—(1) Paragraph (2) applies where—

- (a) a FIT licensee (“A”) has received a written request for MCS-certified registration from a FIT generator (“P”) in respect of an eligible installation accompanied by an MCS certificate in respect of that installation;
 - (b) following receipt of that request, a specified event has happened in relation to A; and
 - (c) another FIT licensee (“B”)—
 - (i) (where B is a mandatory FIT licensee) has received a notification from P that P’s request for MCS-certified registration is to be treated as having been made to B; or
 - (ii) (where B is a voluntary FIT licensee) has received a request from P that P’s request for MCS-certified registration be treated as having been made to B, and B has accepted this request in writing to P; and
 - (d) the installation is subsequently accredited.
- (2) Where this paragraph applies, the eligibility date for the installation referred to in paragraph (1)(a) is the later of—
- (a) the date on which the written request for MCS-certified registration accompanied by an MCS certificate in respect of that installation was received by A; or
 - (b) the date on which the installation was commissioned^[F2]; or]
 - [where the date on which the written request was received by A on or after 15th January ^{F2}(c) 2016, the first date of the tariff period within which the installation is accepted for accreditation by the Authority.]
- (3) For the purposes of paragraph (1)(b), a specified event has happened in relation to A if an event in article 24A(3) has occurred.]

Textual Amendments

F2 Art. 24B(2)(c) and word inserted (15.1.2016) by [The Feed-in Tariffs \(Amendment\) \(No. 3\) Order 2015 \(S.I. 2015/2045\)](#), arts. 1, 16 (with art. 24)

Changes to legislation:

There are currently no known outstanding effects for the The Feed-in Tariffs Order 2012, PART 5A.