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STATUTORY INSTRUMENTS

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**2013 No. 108**

**The Non-Domestic Rating (Renewable  
Energy Projects) Regulations 2013**

**PART 2**

**Designation of classes of hereditaments**

**Renewable power stations**

5.—(1) In these Regulations, a hereditament is a renewable power station if—

- (a) the hereditament comprises land, plant or buildings used or available for use for the purpose of generating electricity (other than by means of the burning of waste, unless the waste is biomass), where such use is the sole or primary function of the hereditament; and
- (b) the generating plant in or on the hereditament uses as its primary source of energy—
  - (i) wind;
  - (ii) water (including wave or tidal);
  - (iii) solar;
  - (iv) the burning of biomass;
  - (v) the burning of gas from biomass; or
  - (vi) the burning of gas from a landfill site.

(2) In determining whether the primary function of a hereditament is for the purpose of generating electricity, no account shall be taken of so much of any heat produced in or on the hereditament as is produced other than for the purpose of the generation of electricity.