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STATUTORY INSTRUMENTS

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**2014 No. 2388**

**The Renewables Obligation Closure Order 2014**

**Circumstances relating to generating stations in respect of which an investment contract has ceased to have effect**

7.—(1) The circumstances set out in this article are where the electricity is generated using the original capacity of a generating station—

- (a) which was accredited on or before 31st March 2018, and
- (b) in respect of which the document specified in paragraph (2) was received by the Authority on or before the date on which the Authority made its decision to accredit the station.

(2) The document specified in this paragraph is a letter from the Secretary of State confirming that—

- (a) an investment contract was made in relation to the generation of electricity by the generating station, and
- (b) the investment contract has been terminated or has otherwise ceased to have effect by reason of a permitted termination event.

(3) In this article—

“investment contract” has the meaning given in paragraph 1 of Schedule 2 to the Energy Act 2013<sup>(1)</sup>; and

“permitted termination event”, in relation to an investment contract, means—

- (a) a delay in the approval of the investment contract by the European Commission,
- (b) a refusal by the European Commission to approve the investment contract,
- (c) a condition attached by the European Commission to its approval of the investment contract,
- (d) a judgment of the Court of Justice of the European Union that invalidates an approval of the investment contract by the European Commission, or
- (e) an amendment to the investment contract that is made, or proposed, by the Secretary of State in the light of any standard terms and conditions of contracts for difference issued under section 11 of the Energy Act 2013.