
STATUTORY INSTRUMENTS

2015 No. 1947

The Renewables Obligation Order 2015

PART 1

Introductory provisions

Biomass and fuels which are to be treated as biomass

- 3.—(1) In this Order, “biomass” means fuel which—
- (a) falls within paragraph (2),
 - (b) falls within paragraph (3), or
 - (c) is a fossil derived bioliquid.
- (2) Fuel falls within this paragraph if—
- (a) at least 90% of its energy content is derived from relevant material, and
 - (b) any fossil fuel forming part of the fuel is present following a process—
 - (i) to which the relevant material has been subject, and
 - (ii) the undertaking of which has caused the fossil fuel to be present in, on or with that material even though that was not the object of the process.
- (3) Fuel falls within this paragraph if—
- (a) at least 90% of its energy content is derived from relevant material,
 - (b) it is waste, and
 - (c) any fossil fuel forming part of it was not added to it with a view to the fossil fuel being used as a fuel.
- (4) For the purposes of this Order except for articles 28, 63, 82 and 84, a fuel which is used in a generating station with biomass but which is not biomass (including, where two or more of the fuels listed in article 2(4) are mixed together before being so used, each of those fuels which is not biomass) is to be treated as biomass if—
- (a) the energy content of the fuel is derived in part from relevant material and in part from fossil fuel;
 - (b) either—
 - (i) the fossil fuel is present in it following a process—
 - (aa) to which the relevant material has been subject, and
 - (bb) the undertaking of which has caused the fossil fuel to be present in, on or with that material even though that was not the object of the process; or
 - (ii) it is waste and the fossil fuel forming part of it was not added to it with a view to its being used as a fuel; and
 - (c) at least 90% of the total energy content of the fuel and the biomass with which the fuel is used is derived from relevant material.

(5) Accordingly, any reference in this Order to biomass, other than in articles 28, 63, 82 and 84, is to be construed as a reference to biomass or fuel which (by virtue of paragraph (4)) is to be treated as biomass.

(6) Where biomass (not being waste or fossil derived bioliquid) is used, whether on its own or not, to fuel a generating station and a proportion of it is composed of fossil fuel, the proportion of it which is composed of fossil fuel—

(a) is to be determined by the Authority, and

(b) is the energy content of the fossil fuel from which it is in part composed expressed as a percentage of its energy content as a whole.

(7) For the purposes of this article, “relevant material” means material, other than fossil fuel, which is, or is derived directly or indirectly from, plant matter, animal matter, fungi, algae or bacteria.

Changes to legislation:

There are currently no known outstanding effects for the The Renewables Obligation Order 2015, Section 3.