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STATUTORY INSTRUMENTS

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**2015 No. 197**

**The Renewable Heat Incentive Scheme  
(Amendment) Regulations 2015**

**Amendments to regulation 39B**

**21.** In regulation 39B—

(a) for paragraph (1) substitute—

“(1) This regulation applies where the total installed peak heat output capacity of all the combustion units in respect of which the CHP system has been accredited is less than the total installed peak heat output capacity of all combustion units forming part of that CHP system.”;

(b) in paragraph (2)—

(i) for sub-paragraph (b) substitute—

“(b) B is the kWhth of heat generated by the installation from solid biomass (including solid biomass contained in waste) in any combustion unit in respect of which the CHP system has been accredited, calculated in accordance with paragraph (3) and which is used for eligible purposes;”;

(ii) for sub-paragraph (d) substitute—

“(d) D is the kWhth of heat generated by the installation from biogas in any combustion unit in respect of which the CHP system has been accredited, calculated in accordance with paragraph (4) and which is used for eligible purposes.”;

(iii) for sub-paragraph (e) substitute—

“(e) E is—

(i) the heat in kWhth delivered in the relevant quarterly period to the biogas production plant which produced the biogas combusted in a combustion unit to which regulation 9(2)(b) or 9A applies (other than heat contained in any feedstock used to produce that biogas); or

(ii) such proportion (as may be chosen by the participant and agreed by the Authority) of that heat provided that the proportion is no less than—

$$\frac{x}{y}$$

where—

(aa) x is the heat produced by that biogas in a combustion unit to which regulation 9(2)(b) or 9A applies and which is used for eligible purposes, and

(bb) y is the energy content of all the biogas produced by that biogas production plant.”.