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STATUTORY INSTRUMENTS

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**2017 No. 1234**

**The Renewables Obligation (Amendment) Regulations 2017**

**Amendments to Renewables Obligation Order 2015**

5.—(1) Schedule 1 (greenhouse gas criteria for bioliquid) is amended as follows.

(2) In paragraph 1 (interpretation)—

(a) omit the definition of “disaggregated default values for cultivation”;

(b) for the definition of “relevant percentage” substitute—

““relevant percentage” means—

(a) in relation to bioliquid produced by an installation that started producing liquid fuel from biomaterial before 6th October 2015—

(i) 35% in the case of bioliquid used to generate electricity before 1st January 2017;

(ii) 50% in the case of bioliquid used to generate electricity on or after 1st January 2017;

(b) in relation to bioliquid produced by an installation that started producing liquid fuel from biomaterial on or after 6th October 2015—

(i) 35% in the case of bioliquid used to generate electricity before 1st January 2017;

(ii) 50% in the case of bioliquid used to generate electricity on or after 1st January 2017 but before 1st January 2018;

(iii) 60% in the case of bioliquid used to generate electricity on or after 1st January 2018.”.

(3) Omit paragraph 5.

(4) For paragraph 6 substitute—

“6. The default percentage must not be used in relation to bioliquid described in the first column of Part A or Part B of Annex 5 to the Renewables Directive<sup>(1)</sup> unless, in relation to the bioliquid, the result of the calculation in paragraph 7 of Part C of that Annex is equal to, or less than, zero.”.

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(1) [Directive 2009/28/EC](#) of the European Parliament and of the Council of 23rd April 2009 on the promotion of the use of energy from renewable sources, O.J. No. L 140, 5.6.2009, p.16. The Directive was amended by Council [Directive 2013/18/EU](#) of 13th May 2013 adapting [Directive 2009/28/EU](#) of the European Parliament and of the Council on the promotion of the use of energy from renewable sources, by reason of the accession of the Republic of Croatia, O.J. No. L 158, 10.6.2013, p.230, and by Directive (EU) 2015/1513 of the European Parliament and of the Council of 9th September 2015 amending [Directive 98/70/EC](#) relating to the quality of petrol and diesel fuels and amending [Directive 2009/28/EC](#) on the promotion of the use of energy from renewable sources, O.J. No. L 239, 15.9.2015, p.1. The definition of “Renewables Directive” (i.e., [Directive 2009/28/EC](#)) in article 2(1) of the Renewables Obligation Order 2015 provides that in certain provisions (including Schedule 1) references to Annex 5 to the Directive are to Annex 5 as amended from time to time.