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STATUTORY INSTRUMENTS

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**2018 No. 1380**

**The Feed-in Tariffs (Closure, etc.) Order 2018**

**Amendment to article 8B (the application limit)**

7.—(1) Article 8B is amended as follows.

(2) At the beginning of paragraph (3), insert “Subject to paragraph (3A),”.

(3) After paragraph (3), insert—

“(3A) Where by virtue of the operation of paragraph (3) the Authority must determine whether to grant an eligible installation accreditation or preliminary accreditation in any tariff period beginning on or after 1st April 2019, the Authority must determine not to grant the installation accreditation or preliminary accreditation.

(3B) Where the Authority receives an application for accreditation in respect of a relevant community energy installation, the Authority must determine not to accredit the installation where the application limit for an installation of that particular description for the tariff period beginning on 1st January 2019—

(a) has been exceeded; or

(b) is exceeded by virtue of receipt of the application for accreditation.”.

(4) In paragraph (4)—

(a) at the end of sub-paragraph (a)(iii), omit “and”;

(b) for sub-paragraph (b), substitute—

“(b) “relevant community energy installation” means an eligible installation—

(i) which is pre-registered in accordance with article 11(2)(a);

(ii) in respect of which the MCS certificate is issued on or after 1st April 2019;  
and

(iii) in respect of which the application date is within the period of 1 year beginning with the date on which the Authority received the application for pre-registration;

and despite sub-paragraph (a), for the purposes of paragraph (3B) an application for accreditation of a relevant community energy installation is to be treated as being received by the Authority during the tariff period beginning on 1st January 2019;

(c) “relevant installation” means any eligible installation other than an installation—

(i) which has been granted preliminary accreditation and in respect of which an application for accreditation is made within the period of validity of its preliminary accreditation;

(ii) to which article 7B applies; or

(iii) which is a relevant community energy installation.”.