
STATUTORY INSTRUMENTS

2018 No. 374

**The Renewable Transport Fuels and
Greenhouse Gas Emissions Regulations 2018**

PART 3

RENEWABLE TRANSPORT FUEL AMENDMENTS

Amendment of article 21

22.—(1) Article 21 (payments)(1) is amended as follows.

(2) In paragraph (1)(b)—

- (a) for “RTF certificates” substitute “each type of RTF certificate”; and
- (b) after “RTF account”, insert “, and the number of each type of RTF certificate”.

(3) After paragraph (1), insert—

“(1A) For the purposes of paragraph (1)(b), the maximum number of relevant crop RTF certificates which may be used to meet (or towards meeting) the supplier’s renewable transport fuel obligation may not exceed the number of such certificates which corresponds with the amount calculated under article 21A.”.

(4) In paragraph (3), after “the number” insert “and type”.

(5) In paragraph (6), after “a sum” insert “(the “buy-out amount”)”.

(6) For paragraph (7), substitute—

“(7) The “buy-out amount” is determined as follows—

Step 1

Calculate in litres—

- (a) the amount (“the DF only amount”) of development fuel in respect of which the supplier has produced development fuel RTF certificates as evidence (in accordance with paragraph (2)) in relation to the supplier’s development fuel target during the obligation period in question; and
- (b) the amount (“the any RTF amount”) of renewable transport fuel of any type in respect of which the supplier has produced RTF certificates (of any type) as evidence (in accordance with paragraph (2)) in relation to the supplier’s main obligation during the obligation period in question.

Step 2

Calculate the number of litres (if any) by which—

- (a) the DF only amount falls short of the amount needed to meet the supplier’s development fuel target (“the development fuel target shortfall”); and

- (b) the any RTF amount falls short of the amount needed to meet the supplier’s main obligation (“the main obligation shortfall”).

Step 3

Multiply the development fuel target shortfall by £0.80 (“sum A”).

Step 4

Multiply the main obligation shortfall by £0.30 (“sum B”).

Step 5

Add sum A and sum B to produce the buy-out amount.”.

- (7) For paragraph (8), substitute—

“(8) For the purposes of section 128(1) of the 2004 Act and this Order, the period within which the buy-out amount, calculated under paragraph (7), must be paid to the Administrator (the “buy-out payment period”) is—

- (a) in respect of an obligation period which ends on 14th April in a year, the period beginning on 15th April of that year and ending on 10th January in the following year;
- (b) in respect of an obligation period which ends on 31st December in a year, the period beginning on 1st January of the following year and ending on 26th October of that following year.”.

- (8) For paragraph (9), substitute—

“(9) Where a supplier does not pay all of the buy-out amount to the Administrator before the end of the buy-out payment period—

- (a) the unpaid buy-out amount carries interest at the rate specified in paragraph (10), and is to be calculated in accordance with paragraph (11); and
- (b) the unpaid buy-out amount, and any unpaid interest, is a debt due from the supplier to the Administrator until it has been paid in full.”.

(9) In paragraph (10), for “11th January immediately following”, substitute “day immediately after the last day of”.

(10) In paragraph (11), for “11th January immediately following”, substitute “day immediately after the last day of”.

Commencement Information

II [Reg. 22](#) in force at 15.4.2018, see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Renewable Transport Fuels and Greenhouse Gas Emissions Regulations 2018, Section 22.