
STATUTORY INSTRUMENTS

2018 No. 374

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

PART 3

RENEWABLE TRANSPORT FUEL AMENDMENTS

Amendment of article 4

- 9.**—(1) Article 4 (the renewable transport fuel obligation)(**1**) is amended as follows.
- (2) In paragraph (1)—
- (a) for sub-paragraph (a), substitute—
“**(a)** owns relevant fuel; and”;
 - (b) in sub-paragraph (b), for “oil” substitute “fuel”.
- (3) In paragraph (2), for “oil” substitute “fuel”.
- (4) In paragraph (3), for sub-paragraphs (a) and (b) substitute—
- “(a) a “specified period” means—
 - (i) a period beginning on 15th April in any year before 2018 and ending on the following 14th April;
 - (ii) the period beginning on 15th April 2018 and ending on 31st December 2018;
 - (iii) a period beginning on 1st January in any year after 2018 and ending on the following 31st December,and any such period is referred to in this Order as an “obligation period”;
 - (b) the “specified date” means—
 - (i) in respect of any obligation period which ends on 14th April in a year, 29th November of that year (or the next working day after 29th November if 29th November is not a working day);
 - (ii) in respect of an obligation period which ends on 31st December in a year, 15th September of the following year (or the next working day after 15th September if 15th September is not a working day); and”.
- (5) For paragraphs (4) to (6), substitute—
- “(4) For the purposes of section 124(2) of the 2004 Act and this Order, the “specified amount” of renewable transport fuel for an obligated supplier in an obligation period is the sum of—
- (a) the development fuel target for that supplier for that period; and
 - (b) the main obligation for that supplier for that period.

(5) The supplier’s “development fuel target” for an obligation period within column 1 of the table in paragraph (6C) is the amount of development fuel equal to the percentage of the supplier’s obligated amount for that period set out in the corresponding entry in column 2 of the table.

(6) The supplier’s “main obligation” for an obligation period within column 1 of the table in paragraph (6C) is the amount of renewable transport fuel equal to the percentage of the supplier’s obligated amount for that period set out in the corresponding entry in column 3 of the table.

(6A) Development fuel supplied by the supplier during an obligation period which exceeds the amount of that supplier’s development fuel target for that period may count towards the supplier’s main obligation for that period.

(6B) The obligated amount for an obligation period is determined as follows—

- (a) calculate the notional amount of relevant fuel which the supplier has supplied at, or for delivery to, places in the United Kingdom during the obligation period (see paragraph (7)); and
- (b) if the notional amount is less than 10 million litres, deduct the first 450,000 litres of that amount.

(6C) The table is as follows—

<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
<i>Obligation period or periods</i>	<i>% which, when applied to the obligated amount, gives the development fuel target</i>	<i>% which, when applied to the obligated amount, gives the main obligation</i>
15th April 2017 to 14th April 2018	No development fuel target	4.987%
15th April to 31st December 2018	No development fuel target	7.817%
1st January to 31st December 2019	0.109%	9.180%
1st January to 31st December 2020	0.166%	10.637%
1st January to 31st December 2021	0.556%	10.679%
1st January to 31st December 2022	0.893%	10.714%
1st January to 31st December 2023	1.119%	10.738%
1st January to 31st December 2024	1.345%	10.762%
1st January to 31st December 2025	1.573%	10.787%
1st January to 31st December 2026	1.802%	10.811%

<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
<i>Obligation period or periods</i>	<i>% which, when applied to the obligated amount, gives the development fuel target</i>	<i>% which, when applied to the obligated amount, gives the main obligation</i>
1st January to 31st December 2027	2.032%	10.835%
1st January to 31st December 2028	2.262%	10.860%
1st January to 31st December 2029	2.494%	10.884%
1st January to 31st December 2030	2.727%	10.909%
1st January to 31st December 2031	2.961%	10.934%
1st January to 31st December 2032, and subsequent obligation periods	3.196%	10.959%”.

(6) For paragraph (7), substitute—

“(7) For the purposes of paragraph (6B), the “notional amount” of relevant fuel which the supplier has supplied at, or for delivery to, places in the United Kingdom during an obligation period is determined in accordance with the following formula—

$$FN = HA - \left(E \times R \times \frac{S}{T} \right)$$

where—

FN is the notional amount of relevant fuel;

HA is the total volume of relevant fuel which was, during that period—

(a) owned by the supplier; and

(b) supplied at, or for delivery to, places in the United Kingdom;

E is the volume of eligible fuel;

R is the percentage of E which is attributable to relevant feedstock;

S is the volume of E which meets the sustainability criteria;

T is the volume of E which is attributable to relevant feedstock.”.

(7) In paragraph (8)—

(a) in each place where the words occur, for “eligible oil” substitute “eligible fuel”;

(b) in each place where the reference occurs, for “S” substitute “R”;

(c) in sub-paragraph (a)—

(i) for paragraph (ii), substitute—

“(ii) is for use in aircraft, non-road transports or road vehicles; and”;

(ii) omit paragraph (iii);

(iii) for paragraph (iv), substitute—

- “(iv) was owned by the supplier at the assessment time;”;
- (d) in sub-paragraph (b), omit “bio-”;
 - (e) in sub-paragraph (c), omit “bio-”;
 - (f) in sub-paragraph (d), omit the “and” at the end;
 - (g) in sub-paragraph (e), at the end, insert “; and”;
 - (h) after sub-paragraph (e), insert—
 - “(f) to the extent that the eligible fuel consists of RFNBO—
 - (i) where the process energy used to produce the RFNBO is electricity that is entirely taken from the national electricity grid of the country in which the RFNBO is or was produced, R is deemed to be the annual average percentage of electricity for that country’s national grid which is produced from renewable sources other than biomass; or
 - (ii) if the Administrator considers that it is not appropriate to use the methodology in paragraph (i) to determine the value for R, R is to be determined in accordance with such other methodology as the Administrator may consider appropriate in a particular case,
- in respect of that portion of the eligible fuel.”.
- (8) For paragraph (9), substitute—
- “(9) For the purposes of this article—
- (a) except where sub-paragraph (b), (c) or (d) applies, one kilogram of gaseous relevant fuel must be treated as equivalent to one litre of liquid relevant fuel;
 - (b) where the gaseous relevant fuel is renewable methane, including substitute natural gas, one kilogram of that fuel must be treated as equivalent to 1.90 litres of liquid relevant fuel;
 - (c) where the gaseous relevant fuel is renewable butane, renewable propane or a combination of renewable butane and renewable propane, one kilogram of that fuel must be treated as equivalent to 1.75 litres of liquid relevant fuel;
 - (d) where the gaseous relevant fuel is renewable hydrogen, one kilogram of that fuel must be treated as equivalent to 4.58 litres of liquid relevant fuel.”.