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STATUTORY INSTRUMENTS

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**2018 No. 611**

**The Renewable Heat Incentive Scheme Regulations 2018**

**PART 2**

**Eligibility and matters relating to eligibility**

**CHAPTER 2**

**Eligibility criteria for technologies**

**Eligible installations which are CHP systems**

**12.—**(1) This regulation applies if the plant is a CHP system which complies with the requirements in paragraphs (2) and (3).

(2) The requirements in this paragraph are that the CHP system generates heat and power from—

- (a) one of the sources of energy set out in paragraph (5) alone; or
- (b) solid biomass, solid biomass contained in waste or biogas, alone or in any combination or with any other source of energy, provided that—
  - (i) the combustion unit in which that solid biomass, solid biomass contained in waste or biogas is burned was first commissioned as part of a CHP system on or after 4th December 2013;
  - (ii) the combustion unit was new at the time of installation;
  - (iii) (except in relation to the use of solid biomass contaminated with fossil fuel) the combustion unit in which that solid biomass, solid biomass contained in waste or biogas is burned is a separate combustion unit from that in which any other fuel is burned.

(3) Where energy is supplied to the CHP system from a combustion unit in which solid biomass (excluding solid biomass contained in waste) is burned, the requirements in this paragraph are that where an application for accreditation relating to the CHP system of which the combustion unit forms part was made on or after 24th September 2013, that combustion unit complies with the requirements in regulation 5(1)(c)(i) or (ii).

(4) The requirements in paragraph (2)(b)(i) and (ii) are deemed to be satisfied where the combustion unit was previously supplying energy for the generation of power only and the plant to which it supplies energy was first commissioned as a CHP system on or after 4th December 2013.

(5) The sources of energy referred to in paragraph (2)(a) are—

- (a) solid biomass (excluding solid biomass contained in waste);
- (b) solid biomass contained in waste;
- (c) biogas, provided that the combustion unit in which the biogas is burned does not generate heat from solid biomass;
- (d) deep geothermal energy.

(6) In the case of a CHP system which generates heat and power from biogas, references in this regulation to “combustion unit” include the biogas production plant which produces the biogas which is used in the combustion unit.