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STATUTORY INSTRUMENTS

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**2018 No. 611**

**The Renewable Heat Incentive Scheme Regulations 2018**

**PART 5**

Sustainable solid biomass, biogas or biomethane

**[<sup>F1</sup>Ongoing obligation in relation to boiler maintenance**

**47A.**—(1) This regulation applies to a participant who generates heat from a boiler which uses solid biomass, or solid biomass contained in waste, as fuel.

(2) The participant must—

- (a) ensure that, in each payment year, a maintenance check is carried out in relation to the boiler (“annual maintenance check”);
- (b) following the end of each payment year, provide to the Authority a declaration stating that—
  - (i) the annual maintenance check has been carried out; and
  - (ii) the maintenance standard has been met.

(3) Participants must retain evidence (including service and maintenance invoices, receipts or certificates) of the matters stated in the declaration for the duration of their participation in the Scheme and must provide the Authority with that evidence when requested to do so.

(4) A document issued by HETAS (or an equivalent body) certifying that the boiler has been assessed against a maintenance standard may be accepted as evidence that the maintenance standard has been met.

(5) In this regulation—

- (a) “equivalent body” means a certification body which is approved by the Secretary of State under regulation 47B(1)(a);
- (b) “equivalent standard” means a document which—
  - (i) specifies the standards to be met by a participant when carrying out the annual maintenance check of a boiler which uses solid biomass, or solid biomass contained in waste, as fuel; and
  - (ii) is approved by the Secretary of State under regulation 47B(1)(b);
- (c) “maintenance standard” means MCS 040 or an equivalent standard;
- (d) “MCS 040” means Issue 1.0 of the document entitled “MCS 040: Planned and Preventative Maintenance of Biomass Appliances – Requirements for Maintenance Engineers carrying out Maintenance Activities” published on 30th June 2021 or a subsequent version of that standard;
- (e) “payment year” means any 12 month period beginning on or after 1st April 2022 commencing with the anniversary of the tariff start date.]

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**Changes to legislation:** *There are currently no known outstanding effects for the The Renewable Heat Incentive Scheme Regulations 2018, Section 47A. (See end of Document for details)*

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**Textual Amendments**

**F1** [Regs. 47A, 47B](#) inserted (1.4.2022) by [The Domestic Renewable Heat Incentive Scheme and Renewable Heat Incentive Scheme \(Amendment\) Regulations 2022 \(S.I. 2022/159\)](#), regs. 1(3), **40**

**Changes to legislation:**

There are currently no known outstanding effects for the The Renewable Heat Incentive Scheme Regulations 2018, Section 47A.