
STATUTORY INSTRUMENTS

2021 No. 1335

The Green Gas Support Scheme Regulations 2021

PART 7

The levy

CHAPTER 3

Payments to scheme suppliers

Repayment of levy credit payments

45.—(1) This regulation applies where a scheme supplier receives a notification referred to in regulation 42(5) (that the supplier’s credit cover requirement is less than their existing credit cover).

(2) Subject to paragraphs (3) and (4)—

- (a) where the notification is given in March of a scheme year the Authority must, by the relevant date specified in the scheme schedule, repay the excess amount to the supplier,
- (b) where the notification is given in June, September, or December of a scheme year—
 - (i) the supplier may, by the relevant date specified in the scheme schedule, request repayment from the Authority of all or part of the excess amount, and
 - (ii) the Authority may, by the relevant date specified in the scheme schedule, repay the amount requested to the supplier.

(3) The Authority may not repay—

- (a) all or part of the excess amount unless it is satisfied that the scheme supplier is not in breach of—
 - (i) regulation 40 (requirement to pay quarterly levy payments),
 - (ii) regulation 42 (requirement to pay levy credit payments),
 - (iii) regulation 49 (requirement to pay backdated levy payments),
 - (iv) regulation 56 (requirement to make mutualisation payments),
- (b) an amount which, if repaid, will result in the scheme supplier’s existing credit cover being less than their credit cover requirement.

(4) The Authority may, instead of repaying the excess amount, repay such lesser amount as the Authority may determine is the amount by which the scheme supplier’s existing credit cover exceeds the scheme supplier’s credit cover requirement on the date that the repayment is made.

(5) In this regulation “the excess amount” has the meaning given in regulation 42(5)(a).