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STATUTORY INSTRUMENTS

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**2021 No. 76**

**The Domestic Renewable Heat Incentive  
Scheme and Renewable Heat Incentive  
Scheme (Amendment) Regulations 2021**

**PART 3**

**Amendment of the Renewable Heat Incentive Scheme Regulations 2018**

**CHAPTER 3**

**Amendment of Part 3**

**Amendment of regulation 30 (applications for accreditation)**

**12.** In regulation 30 (applications for accreditation)—

(a) after paragraph (6) insert—

“(6A) The Authority may reject an application for accreditation if the Authority considers that—

- (a) the plant is materially different from the plant which was proposed in an extension application under regulation 3B;
- (b) there has been a material change in circumstances such that, had the extension application been made after the change, it would have been rejected;
- (c) the information on which the decision to grant the extension application was based was incorrect in a material particular;
- (d) the applicant failed to comply with any condition imposed under regulation 3B(7).

(6B) For the purpose of paragraph (6A)(a)—

- (a) the Authority may take into account such matters as are, in the Authority’s opinion, relevant, including—
  - (i) the location of the plant;
  - (ii) the installation capacity of the plant; and
  - (iii) the source of energy and technology or design of the plant;
- (b) a plant is materially different in a case where—
  - (i) the installation capacity is at least 10% greater or smaller than the installation capacity proposed in an extension application under regulation 3B; or
  - (ii) the installation capacity is such that a different tariff would apply.”;

(b) in paragraph (9), after “regulations” insert “3A,”;

(c) after paragraph (9) insert—

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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“(9A) Where a plant is accredited after Scheme closure following an extension application under regulation 3B, the tariff applicable at the tariff start date is the initial tariff which would have applied in accordance with regulation 60 had the tariff start date been the date on which the properly made extension application (within the meaning of regulation 3B(9)) was received by the Authority.”.