
STATUTORY INSTRUMENTS

2022 No. 565

**The Boiler Upgrade Scheme (England
and Wales) Regulations 2022**

PART 3

Eligible plant

Eligible plant

- 8.—**(1) For the purposes of these Regulations, a heat pump is an eligible plant where—
- (a) it meets the requirements for heat pumps set out in regulation 9(1), and
 - (b) once installed—
 - (i) it meets the suitability criteria in relation to the eligible property, or a property to which regulation 14(1)(b) applies, for which it is installed, determined in accordance with regulation 9(2), and
 - (ii) it is first commissioned on or after 1st April 2022.
- (2) For the purposes of these Regulations, subject to regulation 11, a biomass boiler is an eligible plant where—
- (a) it meets the requirements for biomass boilers set out in regulation 10(1), and
 - (b) once installed—
 - (i) it meets the suitability criteria in relation to the eligible property, or a property to which regulation 14(1)(b) applies, for which it is installed, determined in accordance with regulation 10(2), and
 - (ii) it is first commissioned on or after 1st April 2022.

Requirements for heat pumps

- 9.—**(1) A heat pump meets the requirements in this paragraph where—
- (a) no part of the heat pump which generates heat, other than the ground loop in the case of a subsequent heat pump installation in relation to a shared ground loop system, was used before the plant was first commissioned,
 - (b) it has a capacity of no more than 45 kilowatt thermal, or, in the case of a shared ground loop system, the system has a capacity of no more than 45 kilowatt thermal,
 - (c) it meets the requirements set out in the standards for heat pumps approved by the Secretary of State under regulation 4(1)(b) which are applicable when the plant is first commissioned,
 - (d) it has a seasonal coefficient of performance of at least 2.8, determined in accordance with the standard approved by the Secretary of State under regulation 4(1)(c) which is applicable when the plant is first commissioned,

- (e) it uses a compressor which is driven by electricity, and
 - (f) if it is an air source heat pump, it is not designed to use heat in air which has been expelled from an appliance or building.
- (2) A heat pump meets the suitability criteria in relation to the eligible property, or a property to which regulation 14(1)(b) applies, for which it is installed where—
- (a) it provides heating—
 - (i) solely to that property, or to both that property and any related property, and
 - (ii) for the purpose of both space heating and hot water heating, using liquid as a medium for delivering that heat,
 - (b) it is capable of meeting the full space heating and hot water heating demands of that property, and
 - (c) it replaces the heat generating components of the original heating system installed in that property (where applicable), other than any—
 - (i) supplementary electric heater, including any immersion heater,
 - (ii) circulation pump, or
 - (iii) solar thermal collector.
- (3) For the purposes of paragraph (1)—
- (a) “ground loop”, in relation to a shared ground loop system, means the equipment which absorbs energy stored in the form of heat in the ground, including heat in water in the ground, or in surface water,
 - (b) “shared ground loop system” means a system in which a ground loop provides heat energy through a hydraulic connection to two or more ground source heat pumps,
 - (c) “subsequent heat pump installation”, in relation to a shared ground loop system, means the installation of a second or subsequent ground source heat pump as part of an existing shared ground loop system.
- (4) For the purposes of paragraph (2) and regulation 10(2), “hot water” means hot water which is intended for the personal use of the individuals who use or occupy the eligible property, or property to which regulation 14(1)(b) applies, and does not include hot water used for the purposes of—
- (a) space heating,
 - (b) heating a swimming pool, or
 - (c) carrying out a process.

Requirements for biomass boilers

- 10.**—(1) A biomass boiler meets the requirements in this paragraph where—
- (a) no part of the biomass boiler which generates heat was used before the plant is first commissioned,
 - (b) it has a capacity of no more than 45 kilowatt thermal,
 - (c) it meets the requirements set out in the standards for biomass boilers approved by the Secretary of State under regulation 4(1)(d) which are applicable when the plant was first commissioned,
 - (d) an emissions certificate that meets the requirements set out in Schedule 1 (requirements for emissions certificates)—
 - (i) has been issued for the plant,

- (ii) has been issued for a plant of the same make, model and installation capacity as the plant, or
 - (iii) specifies the plant as being in the same type-testing range as a plant for which an emissions certificate has been issued (see paragraph 1(m) of Schedule 1).
- (2) A biomass boiler meets the suitability criteria in relation to the eligible property, or a property where regulation 14(1)(b) applies, in which it is installed where—
- (a) it provides heating—
 - (i) solely to that property, or to both that property and any related property, and
 - (ii) for the purpose of space heating and hot water heating, using liquid as a medium for delivering that heat,
 - (b) it is capable of meeting the full space heating and hot water heating demands of that property, and
 - (c) it replaces the heat generating components of the original heating system installed in the eligible property (where applicable), other than any—
 - (i) supplementary electric heater, including any immersion heater,
 - (ii) circulation pump, or
 - (iii) solar thermal collector.

Properties in relation to which biomass boilers are not eligible plant

- 11.** A biomass boiler is not an eligible plant in relation to a property, where the property—
- (a) is in an urban area,
 - (b) is fuelled by mains gas, or
 - (c) falls within regulation 5(1)(d) and meets the requirements in regulation 7 (new-build properties).