
STATUTORY INSTRUMENTS

2022 No. 565

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

PART 3

Eligible plant

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.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Boiler Upgrade Scheme (England and Wales) Regulations 2022. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Commencement Information

II Reg. 10 in force at 23.5.2022, see [reg. 1\(1\)](#)

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Changes and effects yet to be applied to :

- reg. 10(2) words omitted by [S.I. 2024/524 reg. 10\(b\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 1A inserted by [S.I. 2024/524 reg. 22](#)
- Sch. 2 para. 2(ha) inserted by [S.I. 2024/524 reg. 23\(g\)](#)
- Sch. 2 para. 2(f)(iii)(bb) omitted by [S.I. 2024/524 reg. 23\(c\)](#)
- Sch. 2 para. 2(f)(iv)(bb) omitted by [S.I. 2024/524 reg. 23\(e\)](#)
- Sch. 2 para. 2(f)(iv)(aa) word omitted by [S.I. 2024/524 reg. 23\(d\)](#)
- Sch. 3 para. 2(da) inserted by [S.I. 2024/524 reg. 24\(b\)](#)
- reg. 4(1)(j) inserted by [S.I. 2024/524 reg. 4\(c\)](#)
- reg. 5(1)(c)(iii)-(v) inserted by [S.I. 2024/524 reg. 5\(a\)\(iii\)](#)
- reg. 5(2)(aa) inserted by [S.I. 2024/524 reg. 5\(c\)](#)
- reg. 7(1) reg. 7 renumbered as reg. 7(1) by [S.I. 2024/524 reg. 7\(a\)](#)
- reg. 7(1)(a) word omitted by [S.I. 2024/524 reg. 7\(b\)](#)
- reg. 7(1)(b) word inserted by [S.I. 2024/524 reg. 7\(c\)](#)
- reg. 7(1)(c) inserted by [S.I. 2024/524 reg. 7\(d\)](#)
- reg. 7(2) inserted by [S.I. 2024/524 reg. 7\(e\)](#)
- reg. 8(3) inserted by [S.I. 2024/524 reg. 8\(c\)](#)
- reg. 10(1)(e) inserted by [S.I. 2024/524 reg. 10\(a\)](#)
- reg. 13(2A)(2B) inserted by [S.I. 2024/524 reg. 11\(b\)](#)
- reg. 13(5) inserted by [S.I. 2024/524 reg. 11\(d\)](#)
- reg. 14(2)(a)(v)-(vii) inserted by [S.I. 2024/524 reg. 12\(d\)](#)
- reg. 14(2)(ba) inserted by [S.I. 2024/524 reg. 12\(e\)](#)
- reg. 14(9) inserted by [S.I. 2024/524 reg. 12\(h\)](#)
- reg. 16(4A) inserted by [S.I. 2024/524 reg. 14\(c\)](#)