

SCHEDULE

Regulation7(2)

REGISTER OF HYDROGEN PRODUCTION REVENUE SUPPORT CONTRACTS

PART 1

DUTIES OF A HYDROGEN PRODUCTION COUNTERPARTY

1. A hydrogen production counterparty must maintain the register required to be kept by virtue of regulation 7 in accordance with the requirements set out in this Schedule.
2. The hydrogen production counterparty must create an entry on the register in respect of each hydrogen production revenue support contract to which it is a party.
3. The hydrogen production counterparty may, in addition to any information that it is required to enter onto the register, enter onto the register any other information which it considers would facilitate the administration of hydrogen production revenue support contracts.

PART 2

INFORMATION IDENTIFYING THE CONTRACT AND THE ELIGIBLE LOW CARBON HYDROGEN PRODUCER

The unique identifier

4. The hydrogen production counterparty must enter onto the register the unique identifier assigned to each hydrogen production revenue support contract pursuant to regulation 7(1).

Information regarding the low carbon hydrogen producer

5. The hydrogen production counterparty must enter onto the register in respect of each hydrogen production revenue support contract that it is party to—
 - (a) the name of the eligible low carbon hydrogen producer who is a party to that contract;
 - (b) the address for correspondence with the eligible low carbon hydrogen producer; and
 - (c) any unique identifier (for example, a company registration number) assigned to the eligible low carbon hydrogen producer by a public authority in the United Kingdom.

PART 3

INFORMATION REGARDING THE FACILITIES WHERE THE LOW CARBON HYDROGEN IS PRODUCED

6. The hydrogen production counterparty must, in relation to each hydrogen production revenue support contract to which it is a party, enter onto the register—
 - (a) the name of the facility where the eligible low carbon hydrogen producer is to produce, or producing, the hydrogen in pursuance of that hydrogen production revenue support contract;
 - (b) such map grid references as are reasonably necessary to identify the location of the facility where hydrogen is, or is to be, produced pursuant to that hydrogen production revenue support contract;

Status: This is the original version (as it was originally made).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

- (c) a brief description of the technology used or to be used to produce the hydrogen, including any feedstock used in the production of the hydrogen (for example natural gas);
- (d) the identity of any carbon dioxide transport and storage operator being used or to be used by the eligible low carbon hydrogen producer;
- (e) the initial estimated capacity of the facility to be used to produce hydrogen agreed pursuant to the hydrogen production revenue support contract; and
- (f) the final installed capacity of the facility used, or to be used, to produce hydrogen agreed pursuant to the hydrogen production revenue support contract.

PART 4

INFORMATION ABOUT THE COMMENCEMENT AND DURATION OF ACTIVITIES PURSUANT TO THE CONTRACT ETC.

7.—(1) A hydrogen production counterparty must, in relation to each hydrogen production revenue support contract to which it is a party, enter the following information onto the register—

- (a) the date agreed pursuant to that contract on which it is intended to start producing hydrogen⁽¹⁾;
- (b) the dates of the beginning and end of any period agreed, pursuant to the hydrogen production revenue support contract, within which it is intended to start producing hydrogen⁽²⁾;
- (c) the date the eligible low carbon hydrogen producer notifies pursuant to that contract that it expects to be the date on which it will be eligible to receive payments, updated quarterly⁽³⁾;
- (d) the date notified by the eligible low carbon hydrogen producer as the date on which it has met the necessary conditions under that contract entitling it to receive payments under the contract⁽⁴⁾;
- (e) the last day of any period agreed between the eligible low carbon hydrogen producer and the hydrogen production counterparty by which the facility must be fully operational⁽⁵⁾; and
- (f) the date on which the contract expires or, in the event of the earlier termination of the contract, the date on which the contract terminated⁽⁶⁾.

(2) But the hydrogen production counterparty must omit from the register the information required by sub-paragraph (1)(c) where—

- (a) the eligible low carbon hydrogen producer requests this in writing; and
- (b) the hydrogen production counterparty considers that if the information were the subject of a request for disclosure under the Freedom of Information Act 2000⁽⁷⁾, or the Environmental Information Regulations 2004⁽⁸⁾, the hydrogen production counterparty would be entitled to withhold the information from disclosure.

(1) Referred to in draft contracts prepared in anticipation of the coming into force of these Regulations as the “target commissioning date”.

(2) Referred to in draft contracts prepared in anticipation of the coming into force of these Regulations as the “target commissioning window”.

(3) Referred to in draft contracts prepared in anticipation of the coming into force of these Regulations as the “expected start date”.

(4) Referred to in draft contracts prepared in anticipation of the coming into force of these Regulations as the “start date”.

(5) Referred to in draft contracts prepared in anticipation of the coming into force of these Regulations as the “longstop date”.

(6) Referred to in draft contracts prepared in anticipation of the coming into force of these Regulations as the “specified expiry date”.

(7) 2000 c. 36.

(8) S.I. 2004/3391.

PART 5

THE LOW CARBON HYDROGEN STRIKE PRICE

Meaning of “low carbon hydrogen strike price”

8.—(1) In this Part “low carbon hydrogen strike price” means the price determined under a hydrogen production revenue support contract expressed in pounds sterling per megawatt hour, so as to ascertain the amount, if any, which is payable under the contract by the hydrogen production counterparty or the eligible low carbon hydrogen producer in respect of hydrogen produced by the eligible low carbon hydrogen producer.

(2) The hydrogen production counterparty must enter onto the register—

- (a) the low carbon hydrogen strike price determined on the coming into existence of the contract (or, where this is not available, the formula used to calculate it); and
- (b) as soon as reasonably practicable after the last day of each calendar month, the low carbon hydrogen strike price prevailing on that day.

9.—(1) This paragraph only applies in a case where, pursuant to a hydrogen production revenue support contract, the facility producing the hydrogen involves the capture and storage of carbon dioxide.

(2) The hydrogen production counterparty must enter onto the register—

- (a) the gas reference price (or the source of the gas reference price);
- (b) the natural gas multiplier; and
- (c) the non-gas strike price.

(3) In this paragraph—

“gas reference price” means the price of feedstock used in the calculation of the low carbon hydrogen strike price as set by, or determined pursuant to, the hydrogen production revenue support contract;

“natural gas multiplier” means the multiplier as set by, or determined pursuant to, the hydrogen production revenue support contract which is to be applied to the gas reference price in the process of calculating the low carbon hydrogen strike price; and

“non-gas strike price” is the price arrived at by deducting from the low carbon hydrogen strike price the product of the calculation of the gas reference price multiplied by the natural gas multiplier.

Storage and transport costs

10. The hydrogen production counterparty must, where applicable, enter onto the register in respect of each hydrogen production revenue support contract—

- (a) the estimate of the cost of storage infrastructure provided to the counterparty by the Secretary of State under regulation 8(2) (estimate of storage and transport costs to be provided by the Secretary of State); and
- (b) the estimate of the cost of transport infrastructure provided to the counterparty by the Secretary of State under regulation 8(2).

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

Sales cap in respect of the production of hydrogen under a hydrogen production revenue support contract

11. The hydrogen production counterparty must, in respect of each hydrogen production revenue support contract, enter onto the register the maximum hydrogen production for the term of the hydrogen production revenue support contract agreed pursuant to the terms of that contract together with any subsequent adjustment.