Draft Regulations laid before the Assembly under section 113 of the Energy Act 2011 for approval

DRAFT STATUTORY RULES OF NORTHERN IRELAND

2024 No.000

ENERGY

The Renewable Heat Incentive Scheme (Amendment) Regulations (Northern Ireland) 2024

Made - - - - 2024

Coming into operation in accordance with regulation 1

The Department for the Economy (**a**) makes the following Regulations in exercise of powers conferred on it by section 113 of the Energy Act 2011(**b**).

Citation and commencement

1. These Regulations may be cited as the Renewable Heat Incentive Scheme (Amendment) Regulations (Northern Ireland) 2024 and shall come into operation on 1st November 2024.

Interpretation

2. (1) The Interpretation Act (Northern Ireland) 1954 (**c**) shall apply to these Regulations as it applies to an Act of the Assembly.

(2) In these Regulations, "the principal Regulations" means the Renewable Heat Incentive Scheme Regulations (Northern Ireland) 2012 (**d**).

Amendments to the principal Regulations

3. The principal Regulations are amended in accordance with regulations 4 to 6.

4. For regulation 36(7C), substitute –

"(7C) The tariffs for accredited RHI installations, whenever accredited, falling within the small or medium biomass tariffs specified in Schedule 5 –

(a) for the period beginning with 1st November 2024 and ending with 31st March 2025, are the tariffs specified in Schedule 5;

(b) for each subsequent year commencing with 1st April and ending with the next 31st March, are the tariffs applicable on the immediately preceding 31st March adjusted by the percentage increase or decrease in the consumer prices index for the

(**a**) Formerly the Department of Enterprise, Trade and Investment; see section 1(3) of the Departments Act (Northern Ireland) 2016 c.5 (NI).
(**b**) 2011 c.16.
(**c**) 1954 c.33 (N.I.)
(**d**) S.R. 2012/396. The Regulations were amended by S.R. 2014/301, S.R. 2015/371, S.R. 2016/47, S.R. 2017/32, the Northern Ireland (Regional Rates and Energy) Act 2018 (c.6) and the Northern Ireland (Regional Rates and Energy) Act 2019 (c.13).

previous calendar year (the resulting figure being rounded to the tenth of a penny, with any twentieth of a penny being rounded upwards)."

5. For regulation 36(9C), substitute –-

"(9C) Where an accredited RHI installation, whenever accredited, falls within either of the medium biomass tariffs specified in Schedule 5—

(a) the tariff for the initial heat generated by the installation in any 12 month period commencing with, or with the anniversary of, the date of accreditation is the relevant tier 1 tariff specified in Schedule 5;

(b) the tariff for further heat generated in that same 12 month period up to a maximum of 400,000 kWhth is the relevant tier 2 tariff specified in Schedule 5; and

(c) any further heat generated in that same 12 month period shall not be eligible for periodic support payments."

6. For Schedule 5 (Tariffs for small and medium biomass installations (whenever accredited)), substitute the following–

"SCHEDULE 5

Regulation 36

(Tariffs for small and medium biomass installations (whenever accredited))

Tariff name	*Sources of energy or Technology*	*Installation capacity*	*Tariff Pence/kWh*
Small Biomass	Solid biomass including solid biomass contained in municipal solid waste	Less than 20kWth	Tier 1: 12.2 Tier 2: 3.8
Medium Biomass (lower capacity)	As above	20kWth and above up to but not including 100kWth	Tier 1: 5.1 Tier 2: 1.0
Medium Biomass (upper capacity)	As above	100kWth and above up to but not including 200kWth	Tier 1: 3.3 Tier 2: 0.8"

Saving provision

7. Notwithstanding regulation 6, Schedule 5 shall continue to have effect in respect of heat generated before 1st November 2024 as if it had not been amended by these Regulations.

Name
A senior officer of the
Department for the Economy

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Renewable Heat Incentive Scheme Regulations (Northern Ireland) 2012 for the purpose of increasing the tariff for periodic support payments made under the Scheme to accredited small and medium biomass installations. The increases are for heat generated from 1 November 2024. These Regulations fix the tariffs for these installations for heat generated up to the end of March 2025, and those tariffs will then be adjusted in line with increases or decreases in the consumer prices index to give the tariffs for later financial years. These Regulations also alter

the zero tariff for heat produced in excess of the (unchanged) initial heat allowance for a medium biomass installation, and set a cap of 400,000kWhth for medium biomass installation. The Regulations also include a saving provision in respect of heat generated before 1 November 2024.

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