STATUTORY INSTRUMENTS

2015 No. 477

ENERGY

The Renewable Heat Incentive Scheme (Amendment) (No. 2) Regulations 2015

Made - - - -	*4th March 2015*
Laid before Parliament	*4th March 2015*
Coming into force - -	*4th March 2015*

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 100(1) and (2)(b) of the Energy Act 2008(**1**).

In accordance with section 100(7) of that Act the Secretary of State has obtained the consent of the Scottish Ministers to the making of these Regulations.

Citation and commencement

1. These Regulations may be cited as the Renewable Heat Incentive Scheme (Amendment) (No. 2) Regulations 2015 and come into force on 4th March 2015.

Amendment of regulation 42 of the Renewable Heat Incentive Scheme Regulations 2011

2.—(1) Paragraph (2) of regulation 42(**2**) (periodic support payments to producers of biomethane) of the Renewable Heat Incentive Scheme Regulations 2011(**3**) is amended as follows.

(2) In the definition of "E", for paragraph (i) substitute—

"(i) the heat in kWhth delivered in the relevant quarterly period to the biogas production plant which produced the biogas from which the biomethane is made, except any heat—

(aa) contained in feedstock used to produce that biogas; or

(bb) derived from the combustion of that biogas;".

(**1**) 2008 c. 32. Section 100 is amended by S.I. 2011/2195. Section 100 is also amended by section 51 of the Infrastructure Act 2015 (c. 7) (section 51 came into force on 12th February 2015) but none of the amendments so made to section 100 are relevant for the purposes of these Regulations. Section 51 also amended section 105 of the Energy Act 2008 (Parliamentary control of subordinate legislation) and inserted subsections (3A) to (3I) concerning provisions which require the affirmative resolution procedure. By virtue of subsections (3A) to (3I), these Regulations do not require the affirmative procedure.

(**2**) Regulation 42 was substituted by regulation 22 of S.I. 2015/197.

(**3**) S.I. 2011/2860, amended by S.I. 2012/1999, S.I. 2013/1033, S.I. 2013/2410, S.I. 2013/3179, S.I. 2014/928; S.I. 2014/1413; S.I. 2015/145 and S.I. 2015/197.