STATUTORY INSTRUMENTS

2015 No. 143

ENERGY

The Domestic Renewable Heat Incentive Scheme (Amendment) Regulations 2015

Made - - - - 4th February 2015

Coming into force in accordance with regulation 1

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 100(1) and (2) and 104(2) of the Energy Act 2008(**1**).

In accordance with section 105(2)(a) and (3) of that Act, a draft of this instrument was laid before Parliament and approved by a resolution of each House of Parliament.

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 Domestic Renewable Heat Incentive Scheme (Amendment) Regulations 2015 and come into force on the day after the day on which they are made.

Amendments to the Domestic Renewable Heat Incentive Scheme Regulations 2014

2. The Domestic Renewable Heat Incentive Scheme Regulations 2014(**2**) are amended as follows.

Amendments to regulation 2 (interpretation)

3.—(1) Regulation 2 is amended as follows.

(2) In the definition of "biomass stove" after "cooking food" insert "unless it is a cooker stove".

(3) For the definition of "certified installer" substitute—

""certified installer" means a person who is certified by the Microgeneration Certification Scheme(**3**) or a scheme which is—

(a) equivalent to that scheme; and

(**1**) 2008 c. 32. Section 100 is amended by S.I.2011/2195.
(**2**) S.I. 2014/928.
(**3**) Details of which are available at www.microgenerationcertification.org.

(b) accredited under EN 45011(**4**) or EN ISO/IEC 17065:2012(**5**);".

(4) In the definition of "domestic hot water" omit "in an eligible property".

(5) In the definition of "eligible purpose" for paragraph (b) substitute—

"(b) a solar thermal plant, the purpose of domestic hot water heating for an eligible property, or for both an eligible property and any related property which is not a swimming pool;".

(6) For the definition of "heat emitter guide" substitute—

""heat emitter guide" means version 2.0 of the document entitled "Heat Emitter Guide for Domestic Heat Pumps" published on 21st November 2014(**6**);".

(7) Insert the following definitions at the appropriate places—

""cooker stove" means a biomass stove which is capable of generating heat for the purpose of cooking food but which is designed to ensure that heat generated for that purpose is incidental to, and cannot be controlled separately from, any heat generated for the purpose of space heating or domestic hot water heating;";

""related property", in relation to an eligible property, means any building or swimming pool which is used by, or available for the use of, an owner or occupier of the eligible property and where the building or swimming pool—

(a) if the property is an RHI property, is not covered by the relevant EPC; or

(b) in any other case, is not covered by the most recent Energy Performance Certificate for which details have been provided to the Authority;";

""social landlord" means a local authority, a private registered provider of social housing, a body registered as a social landlord under Chapter 1 of Part 1 of the Housing Act 1996(**7**) or a body registered as a social landlord under section 23 of the Housing (Scotland) Act 2010(**8**);".

Amendment to regulation 3 (eligibility criteria)

4. In regulation 3(c) for "a property" substitute "an eligible property".

Amendment to regulation 4 (requirements for biomass plants)

5. In regulation 4(1)(b)(i) after "single eligible property" insert ", or to both a single eligible property and any related property".

Amendment to regulation 5 (requirements for heat pumps)

6. In regulation 5(a)(i) after "single eligible property" insert ", or to both a single eligible property and any related property".

Amendments to regulation 6 (requirements for solar thermal plants)

7.—(1) Regulation 6 is amended as follows.

(2) For paragraph (a) substitute—

(**4**) The ISBN for the English language version of this standard is ISBN 0580294153. Copies can be obtained from the British Standards Institution at www.bsigroup.com.
(**5**) The ISBN for the English language version of this standard is ISBN 978 0 580 78472 9. Copies can be obtained from the British Standards Institution at www.bsigroup.com.
(**6**) Published on www.microgenerationcertification.org.
(**7**) 1996 c.52. Part 1 of that Act was amended by Part 2 of the Housing and Regeneration Act 2008 (c.17) and applies only in relation to Wales.
(**8**) 2010 asp.17.

"(a) is designed and installed to provide heating—

(i) solely to a single eligible property, or to both a single eligible property and any related property; and

(ii) solely for an eligible purpose, using liquid as a medium for delivering that heat;".

(3) In paragraph (b) for "paragraph 1(5)(a) and (b)" substitute "paragraph 1(5)(a), (b) and (c)".

Amendments to regulation 8 (certification requirements)

8.—(1) Regulation 8 is amended as follows.

(2) In paragraph (1)(a) and (b)(ii) for "the relevant installation standard" substitute "a relevant installation standard".

(3) For paragraphs (ii) and (iii) of paragraph (2)(a) substitute—

"(ii) where the plant is a ground source heat pump or air source heat pump—

(aa) version 4.1 of the document entitled "Microgeneration Installation Standard: MIS 3005 requirements for contractors undertaking the supply, design, installation, set to work, commissioning and handover of microgeneration heat pump systems" published on 21st November 2014(**9**); or

(bb) version 4.0 of the document entitled "Microgeneration Installation Standard: MIS 3005 requirements for contractors undertaking the supply, design, installation, set to work, commissioning and handover of microgeneration heat pump systems" published on 16th December 2013(**10**),

provided it is in force on the plant's first commissioning date; or

(iii) where the plant is a solar thermal plant—

(aa) version 4.1 of the document entitled "Microgeneration Installation Standard: MIS 3001 requirements for contractors undertaking the supply, design, installation, set to work, commissioning and handover of solar heating microgeneration systems" published on 21st November 2014(**11**); or

(bb) version 4.0 of the document entitled "Microgeneration Installation Standard: MIS 3001 requirements for contractors undertaking the supply, design, installation, set to work, commissioning and handover of solar heating microgeneration systems" published on 16th December 2013(**12**),

provided it is in force on the plant's first commissioning date; or".

Amendment to regulation 12 (requirements where more than one plant provides heat to a property)

9. In regulation 12(1) for "a property" substitute "an eligible property".

Amendments to regulation 13 (plants where heat generation must be metered)

10.—(1) Regulation 13 is amended as follows.

(2) In paragraph (2)—

(a) for "same property" substitute "same eligible property";

(b) in sub-paragraph (c) for "a property" substitute "the eligible property".

(**9**) Published on www.microgenerationcertification.org.
(**10**) Published on www.microgenerationcertification.org.
(**11**) Published on www.microgenerationcertification.org.
(**12**) Published on www.microgenerationcertification.org.