

**From:** Moore, Stephen (DFE)  
**To:** [Nerys Levin](#)  
**Cc:** Irrelevant information redacted by the RHI Inquiry; [Murray, Amanda](#)  
**Subject:** NI RHI scheme - regulations  
**Date:** 11 January 2017 14:29:00  
**Attachments:** [image001.png](#)

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Nerys

Would be really grateful if you could provide some assistance, quite urgently.

As you will be aware there is an issue in Northern Ireland at present in relation to the NI Renewable heat Incentive scheme and there is a need to adopt new regulations in the NI Assembly that will reduce the scheme tariffs the amount the scheme is spending.

However, the Commission has advised that any change in the tariff will be notifiable State aid, but since we cannot be sure how long it will take to navigate the Commission's processes, there needs to be a conditional commencement clause in the Regulations (e.g. the commencement date will be the day after State aid approval is provided by the EC).

Normally our Regulations specify the commencement date and colleagues in our Departmental Solicitors Office have asked if we could point them towards other UK legislation that has had a similar State aid related variable commencement clause.

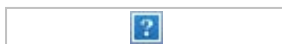
Happy to discuss on the phone you need any background, but, given DSO hope to have a revised draft of the proposed regulations ready in the next hour or so, anything you can do by return would be appreciated.

Many thanks.

Stephen

## **Stephen Moore**

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**NEW** - 'State aid: A Beginner's Guide for Public Bodies in Northern Ireland' can now be accessed through the DFE Internet site: <https://www.economy-ni.gov.uk/publications/state-aid-beginners-guide-public-bodies-northern-ireland>