

Minister: Please find attached revised response
(with track changes) on foot of Andrew's comments
Grateful if contact for your clearance please.

From: Fiona Hepper
Energy Division

25/07/12 Copy Distribution List Below

Date: 18 July 2012

To: 1. Andrew Crawford
2. Arlene Foster MLA

DETI SUB 375/2012

**QUERY FROM THE ETI COMMITTEE IN RELATION TO THE RENEWABLE
HEAT REGULATIONS SL1**

Issue: The ETI Committee have proposed to share information on the RHI, that was submitted in confidence along with the renewable heat regulations SL1 letter, with Action Renewables. Given that this information was provided with an FOI caveat the Committee has sought the Department's view before sharing to a third party.

Timing: The ETI Committee has asked for a response by Tuesday, 24 July 2012.

Need for referral to the Executive: Not applicable

Presentational issues: None

FOI implications: This submission is exempted under Section 35 of the Freedom of Information Act.

Financial Implications: N/A

Legislation Implications: N/A

PSA/PFG Implications: None

Statutory Equality Obligations: None.

Recommendation: That you approve the draft response at Annex A.

Background

The ETI Committee have been briefed on a number of occasions as to the need for subordinate legislation to be introduced for the Northern Ireland Renewable Heat Incentive.

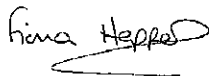
2. To this end a SL1 letter, outlining the purpose of the legislation, was first submitted to the ETI Committee on 13th April and considered at its meeting on 19th April. Following a request for further information, additional detail was provided on 9th May and officials from Energy Division briefed the Committee verbally on 24th May. At this stage, the Committee wished to delay a decision on the SL1 until the tariffs were cleared by the EU Commission and could be shared with the Committee. This information was therefore provided to the Committee on 28th June.

Committee Request

3. At its meeting of 5th July the Committee briefly discussed the additional information provided, however did not clear the SL1 letter that would allow for the draft regulations to be laid during the summer recess. The Committee agreed that the information provided by the Department, including the tariff details and background to the scheme, should be shared with Action Renewables for their opinion to be gathered.
4. The information that had been shared with the Committee had been sent with a FOI caveat given that this area is still policy development, therefore the Committee has sought the Department's opinion on whether the information can be shared with Action Renewables.
5. On 19th July a press release issued that outlined the final proposals on the RHI and the expected next steps regarding implementation. In addition, information was placed on the DETI website relating to tariff levels, eligibility requirements and administrative arrangements. As this information is now in the public domain there is no reason why the ETI Committee cannot pass the aforementioned briefing document to Action Renewables.

Recommendation

6. It is recommended that you approve the attached response to the ETI Committee Clerk (**Annex A**).



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(Ext 29215)

cc: David Thomson
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