

From: [Scott, Michelle](#)
To: [Scott, Michelle](#)
Subject: FW: RHI Timetable
Date: 24 February 2017 10:57:14

From: Downie, Jill **On Behalf Of** Brennan, Mike
Sent: 27 January 2016 15:20
To: Morelli, Emer; Scott, Michelle
Subject: FW: RHI Timetable

From: McCormick, Andrew (DETI)
Sent: 27 January 2016 14:59
To: HOCS; Sterling, David
Cc: Hill, Janice; Stewart, Chris (DETI); Rooney, Eugene; Mills, John (DETI); Brennan, Mike
Subject: Fw: RHI Timetable

Please see below.

Have spoken to Tim Cairns and said the timetable makes closure possible if a clear decision is taken next Tuesday but there is absolutely no room for slippage.

I also had to say to him that a decision not to proceed until after the Election would mean throwing potentially large amounts of good money after bad.

Hope this helps. Can discuss now or hopefully receive emails on flight.

Many thanks.

Sent from my BlackBerry 10 smartphone.

From: Mills, John (DETI) <John.Mills@detini.gov.uk>
Sent: Wednesday, 27 January 2016 12:22
To: McCormick, Andrew (DETI)
Cc: Stewart, Chris (DETI); Wightman, Stuart; Hill, Janice; McIlwrath, Linda; McCoy, Laura
Subject: RHI Timetable

Andrew,

Coming back on timetable. In general the table below:

Gives 6 weeks “warning” to the industry (in fact they’ve had longer) starting on 2 Feb;

But any consultation now has to be 2 weeks not three;

There are several times that, theoretically, can be cut (see notes) but the timetable’s already high risk and the sequencing around Executive approval/sending SL1 to Committee in late February is out of logical order.

The main alternative would be to not consult at all and just give notice. This might allow us to make the Executive on 10 February if we went out this week but, of course, at increased legal risk. And we would have to re-submit everything as this is not what Minister has agreed or what's being considered by whoever else is considering.

TIMELINES

This has to be preferred by the adage: "where there's a political will, there's a legal way." What follows is based on reasonable assumptions about the normal working of the system:

- Tues 2 Feb - Launch consultation (*N1 for 2 weeks - 3 weeks no longer feasible – increased legal risk*)
- Mon 15 Feb - Close consultation (*N2 Need a week to respond to consultation. Legal risk of sham consultation if insufficient time to consider responses*)
- Mon 22 Feb - SL1 to Committee (*N3 Committee insists on week's notice and would not move when we tried to shorten on previous RHI legislation*)
- Thus 25 Feb - Executive Clearance of RHI paper (*N4 this event is now out of step. You want Exec clearance before you submit SL1 but there's no choice. You have to schedule SL1 and update later – Committee might reject*)
- Tues 1 March - ETI clear SL1 and lay Regs (*N5 week gap between SL1 and clearance of Regs could, theoretically, be avoided but the whole system would have to be cooperating – not feasible*)
- Tues 8 March - ETI clears Regs (*N6 a week gap between Committee clearance and Assembly debate is normal so debates aren't scheduled before Committee clears – we managed to avoid this week once but it's high risk*)
- Tues 14/15 March - Last days for debate as the Assembly rises

Date for Regs to come into effect (sometime after 15 March).