

SCHEDULES

SCHEDULE 32

CLIMATE CHANGE LEVY: SUPPLIES SUBJECT TO THE CARBON PRICE SUPPORT RATES AND COMBINED HEAT AND POWER STATIONS

PART 1

MAIN PROVISION

Amendments to Schedule 6 to FA 2000

- 4 After paragraph 14(5) (exemption: supplies to electricity producers) insert—
- “(6) A supply of a taxable commodity other than electricity to a person is exempt from the levy if—
- (a) the commodity is to be used by that person in producing electricity in a generating station,
 - (b) the generating station is neither a fully exempt combined heat and power station nor a partly exempt combined heat and power station, and
 - (c) the capacity of the generating station for producing electricity is no more than 2 megawatts.
- (7) If the generating station mentioned in sub-paragraph (6)(a) is one of a number of generating stations (which may include fully or partly exempt combined heat and power stations) which—
- (a) are situated in the United Kingdom, and
 - (b) are owned by P or persons connected with P,
- the reference to the capacity of the generating station in sub-paragraph (6)(c) is to be read as a reference to the capacity of all those generating stations taken together.
- (8) For the purposes of sub-paragraph (7)(b)—
- (a) “P” is the person who owns the generating station mentioned in sub-paragraph (6)(a), and
 - (b) section 1122 of the Corporation Tax Act 2010 (“connected” persons) applies.
- (9) A supply of coal to a person is exempt from the levy if—
- (a) the coal is to be used by that person in producing electricity in a generating station which is neither a fully exempt combined heat and power station nor a partly exempt combined heat and power station, and

- (b) the coal has a gross calorific value of no more than 15 gigajoules per tonne.”