



T: 0300 244 4000
E: scottish.ministers@gov.scot

Patrick Harvie MSP
Convener of the Europe, External Affairs and
Culture Committee

UKSIs@Parliament.Scot
EEAC.committee@parliament.scot

15 October

Dear Convener

THE GREEN GAS SUPPORT SCHEME (AMENDMENT) REGULATIONS 2026

SI PROTOCOL WITH SCOTTISH PARLIAMENT

I am writing in relation to the protocol, agreed between the Scottish Government and Scottish Parliament at the end of Session 6, on notifying the Scottish Parliament of the laying of UK secondary legislation within devolved competence.

I attach a notification that sets out the details of the Statutory Instrument (SI), which the UK Government has laid, and the reasons why I am content that Scottish devolved matters are to be included within the SI.

I would be grateful if the Committee could note the notification accompanying this letter.

Yours sincerely

STEPHEN GETHINS



TEMPLATE NOTIFICATION - Green Gas Support Scheme (GGSS)

Title of Instrument (or instruments where SIs form a package)	The Green Gas Support Scheme (Amendment) Regulations 2026 2026 No. 1051 The Green Gas Support Scheme (Amendment) Regulations 2026
Summary of provision made within devolved competence	In accordance with section 100(7) of the Energy Act 2008, the Secretary of State has obtained the consent of the Scottish Ministers to the making of these Regulations.
Power(s) under which SI is made	Energy Act 2008, s.100, s.104(2)
Intergovernmental engagement	Lord Whitehead CBE, the then Minister for Energy Security and Net Zero wrote to the Cabinet Secretary for Climate Action and Rural Affairs in June 2026 setting out the intended changes and seeking feedback. Following changes in both the UK and Scottish cabinets, a response was issued by the Minister for Europe, External Affairs and Energy to the UK Minister for Climate Transition giving consent to make the proposed changes.
Purpose	Extending the commissioning deadline This instrument will amend the commissioning deadline to extend it by two years to 31 March 2030. This extension is expected to address the delays which have been faced by prospective applicants for example in securing planning permission, by allowing them more time, following application, to build plants, begin injecting, and make their stage 3 application for GGSS registration. This instrument prevents participants being paid for any period beyond 31 March 2043. This means that where a tariff start date is after 31 March 2028, but before 31 March 2030, payments will be payable for a period of less than 15 years. This will prevent scheme costs extending beyond the current lifetime of the Green Gas Levy, which funds the GGSS. The application deadline will remain 31 March 2028 to maintain scheme effectiveness without increasing budgetary impacts. Improving the administration of the scheme This instrument will correct a drafting error in the process for registering an eligible heat pump, to clarify that heat supplied by an eligible heat pump will not be included in deductions in the formula used to calculate the proportion of eligible biomethane that may receive tariff payments. The sustainability audit reporting sequencing for GGSS plants will be adjusted so that it is in line with financial years, rather than the commissioning date.
Indication of equivalent delegated power for Scottish Ministers	Environmental regulation is devolved and so is Energy Efficiency, via Housing and Building Standards.

Related legislation or frameworks	Biomethane sustainability, greenhouse-gas reporting rules and the Green Gas Levy are administered by Ofgem. The Green Gas Levy is collected from all licensed fossil gas suppliers and funds the GGSS.
EU and international law considerations	The EU Renewable Energy Directive (RED) promotes the use of biomethane and injection to the gas grid as a means of reducing emissions. The Directive also sets out strict sustainability criteria which the GGSS aligns with.
UK Internal Market Act 2020 Impacts	No impacts on the UK Internal Market Act 2020.
Financial Implications	There are no financial implications for the Scottish Government, and the changes do not place an increased burden on consumer energy bills.
Consultation and/or Stakeholder Engagement	The UK Government did not hold a public consultation but responses to the GGSS Mid-Scheme Review 2023 were used to inform the approach to extending the commissioning deadline. DESNZ did engage with Grissan, who are the major biomethane producer in Scotland, and they are supportive of the change.
Impact Assessments	The amendments will not significantly change scheme impacts as set out in the original Impact Assessment: https://assets.publishing.service.gov.uk/media/61422e36d3bf7f05aa5f92d8/green-gas-impact-assessment.pdf
SI Package	This SI is part of a package of instruments related to the Green Gas Support Scheme (GGSS) • The Green Gas Support Scheme Regulations 2021 • The Green Gas Support Scheme (Amendment) Regulations 2024
SG Policy contact:	