

**RENEWABLE ENERGY (FEED-IN APPROVAL AND FEED-IN TARIFF RATE) RULES
2011**

PU(A) 385/2011

IN exercise of the powers conferred by paragraphs 61(a) and (d) of the **Renewable Energy Act 2011**[Act 725], the Sustainable Energy Development Authority Malaysia makes the following rules:

PART I

PRELIMINARY

1. Citation and commencement

(1) These rules may be cited as the **Renewable Energy (Feed-In Approval and Feed-in Tariff Rate) Rules 2011**.

(2) These Rules come into operation on 1 December 2011.

2. Interpretation

In these Rules, unless the context otherwise requires-

"buildings" means roofed building structures which can be independently used and entered into by human beings and are primarily designed for the purpose of sheltering human beings, animals or objects from the external environment;

"interconnection cables" means the cables or lines for transporting electricity from a renewable energy installation to a connection point [*P.U. (A) 387/2011*];

"basic feed-in tariff rate" means-

(a) in relation to a renewable energy installation utilizing biogas, biomass or solar photovoltaic as its renewable resource, the basic feed-in tariff rate as set out in row (a) of the third column of the Schedule to the Act; and

(b) in relation to a renewable energy installation utilizing small hydropower as its renewable resource, the basic feed-in tariff rate as set out in the third column of the Schedule to the Act,

and as reduced progressively under section 17 of the Act;

"bonus feed-in tariff rate" , in relation to a renewable energy installation utilizing biogas, biomass or solar photovoltaic as its renewable resource, means the bonus feeding tariff rate as set out in row (b) of the third column of the Schedule to the Act and as reduced progressively under section 17 of the Act;

"use as building material" , in relation to a renewable energy installation utilizing solar photovoltaic as its renewable resource, means the use of the solar photovoltaic modules serving the function of a

principal building material with no secondary building material beneath such solar photovoltaic modules serving the same function.

"acceptance test report" means a report prepared by a qualified person under rule 14 of the **Renewable Energy (Technical and Operational Requirements) Rules 2011**;

"application" , in relation to an application for a feed-in approval, means an application which has fulfilled all applicable requirements under Part II of the **Renewable Energy (Technical and Operational Requirements) Rules 2011**;

"revenue meter" has the meaning assigned to it in the **Renewable Energy (Technical and Operational Requirements) Rules 2011**;

"foreign person" means-

(a) a non-Malaysian citizen;

(b) a Malaysian permanent resident;

(c) a foreign company as defined in the **Companies Act 1965**[Act 125] or any other foreign entity; or

(d) a Malaysian entity in which the individual, foreign company or other foreign entity specified in paragraph (a), (b) or (c), as the case may be, holds more than forty-nine per centum of the voting power or issued share capital (excluding preference shares);

"qualified person" has the meaning assigned to it in the **Renewable Energy (Technical and Operational Requirements) Rules 2011**;

"milestone" means a significant stage or event in the development of a renewable energy installation;

"associate" , in relation to a distribution licensee, means-

(a) a person holding, directly or indirectly, more than forty-nine per centum of the voting power or issued share capital (excluding preference shares) of the distribution licensee;

(b) a company, in which the distribution licensee holds, directly or indirectly, more than forty-nine per centum of the voting power or issued share capital (excluding preference shares); or

(c) a company, in which a third person holds, directly or indirectly, more than forty-nine per centum of the voting power or issued share capital (excluding preference shares) of the company and such third person also holds more than forty-nine per centum of the voting power or issued share capital (excluding preference shares) in the distribution licensee;

"connection point" has the meaning assigned to it in the **Renewable Energy (Technical and Operational Requirements) Rules 2011**.

PART II

APPLICATION FOR FEED-IN APPROVAL

3. Eligibility criteria to apply for a feed in approval

An eligible producer shall be as follows:

- (a) a Malaysian citizen of not less than twenty-one years of age;
- (b) in respect of an application for a feed-in approval relating to a renewable energy installation utilizing solar photovoltaic as its renewable resource and having an installed capacity of up to and including seventy-two kilowatts peak only, a foreign person of not less than twenty-one years of age;
- (c) a company incorporated in Malaysia other than-
 - (i) a company in which a foreign person holds, directly or indirectly, more than forty-nine per centum of the voting power or issued share capital (excluding preference shares);
 - (ii) a distribution licensee, where the application for a feed-in approval relates to a renewable energy installation proposed to be connected to that distribution licensee's electricity distribution network; or
 - (iii) an associate of a distribution licensee, where the application for a feed-in approval relates to a renewable energy installation proposed to be connected to that distribution licensee's electricity distribution network;
- (d) a local authority as defined in the **Local Government Act 1976**[Act 171];
- (e) a body corporate constituted or established under any written law excluding the Authority;
- (f) a registered society as defined in the **Societies Act 1966**[Act 335];
- (g) a co-operative society as defined in the **Co-operative Societies Act 1993**[Act 502];
- (h) a firm as specified in section 6 of the **Partnership Act 1961**[Act 135]; and
- (i) such other persons or classes of persons as may be determined by the Authority from time to time.

4. Application for feed-in approval

(1) Every application for a feed-in approval under these Rules shall be made to the Authority using a form as may be determined by the Authority and shall be accompanied by the fees as specified in the Second Schedule.

(2) An application made under subrule (1) which is duly executed by an eligible producer shall be submitted by-

- (a) the eligible producer; or
- (b) an authorized representative or agent of the eligible producer,

in a physical form at the Authority's office or by an electronic medium or by way of an electronic transmission.

5. Application for feed-in approval for renewable energy installation utilizing only one type of renewable resource.

Where an eligible producer proposes to develop a renewable energy installation which utilizes one type of renewable resource, the eligible producer shall make an application for a feed-in approval in respect of the installation.

6. Application for feed-in approval for renewable energy installation utilizing more than one type of renewable resource.

(1) Where an eligible producer proposes to develop a renewable energy installation which-

(a) utilizes more than one type of renewable resource; and

(b) does not have separate and dedicated interconnection cables and a separate and dedicated revenue meter in respect of renewable energy generated by each type of the renewable resource,

the eligible producer shall only make one application for a feed-in approval in respect of the installation.

(2) Where an eligible producer proposes to develop a renewable energy installation which-

(a) utilizes more than one type of renewable resource; and

(b) has separate and dedicated interconnection cables and a separate and dedicated revenue meter in respect of renewable energy generated by each type of the renewable resource,

the eligible producer shall apply for a separate feed-in approval in respect of the installed capacity for each part of the renewable energy installation which generates renewable energy utilizing each type of the renewable resource.

7. Application for feed-in approval for increase in capacity of renewable energy installation utilizing different renewable resource.

(1) Where a feed-in approval has been granted and the feed-in approval holder proposes to increase the installed capacity of his or its renewable energy installation which-

(a) utilizes a new type of renewable resource; and

(b) does not have separate and dedicated interconnection cables and a separate and dedicated revenue meter in respect of the increase in the installed capacity,

the feed-in approval holder shall apply for a new feed-in approval in respect of the total combined installed capacity of his or its installation after taking into account such increase in the installed capacity.

(2) Where a feed-in approval has been granted and the feed-in approval holder proposes to increase the installed capacity of his or its renewable energy installation which-

(a) utilizes a new type of renewable resource; and

(b) has separate and dedicated interconnection cables and a separate and dedicated revenue meter in respect of the increase in the installed capacity,

the feed-in approval holder shall retain his or its earlier feed-in approval and apply for a separate feed-in approval in respect of such increase in the installed capacity of the installation.

(3) Where a new feed-in approval is granted by the Authority under subrule (1), the feed-in approval holder shall surrender his or its earlier granted feed-in approval to the Authority on or before the feed-in tariff commencement date of the total combined installed capacity of the installation.

(4) Upon the surrender of the earlier granted feed-in approval under subrule (3), the earlier granted feed-in approval shall be deemed to have been superseded by the new feed-in approval.

8. Application for feed-in approval for increase in capacity of renewable energy installation utilizing same renewable resource.

(1) Where a feed-in approval has been granted and the feed-in approval holder proposes to increase the installed capacity of his or its renewable energy installation which-

(a) utilizes the same type of renewable resource; and

(b) does not have separate and dedicated interconnection cables and a separate and dedicated revenue meter in respect of the increase in the installed capacity,

the feed-in approval holder shall apply for a new feed-in approval in respect of the total combined installed capacity of his or its installation after taking into account such increase in the installed capacity.

(2) Where a feed-in approval has been granted and the feed-in approval holder proposes to increase the installed capacity of his or its renewable energy installation which-

(a) utilizes the same type of renewable resource; and

(b) has separate and dedicated interconnection cables and a separate and dedicated revenue meter in respect of the increase in the installed capacity,

the feed-in approval holder shall retain his or its earlier feed-in approval and apply for a separate feed-in approval in respect of such increase in the installed capacity of the installation.

(3) Where a new feed-in approval is granted by the Authority under subrule (1), the feed-in approval holder shall surrender his or its earlier granted feed-in approval to the Authority on or before the feed-in tariff commencement date of the total combined installed capacity of the installation.

(4) Upon the surrender of the earlier granted feed-in approval under subrule (3), the earlier granted feed-in approval shall be deemed to have been superseded by the new feed-in approval.

9. Application for bonus feed-in tariff rate

Where an eligible producer proposes to apply for any bonus feed-in tariff rate in respect of a renewable energy installation which-

(a) only part of the installation has met or shall meet the applicable criteria as set out in column (2) of the First Schedule; and

(b) has separate and dedicated interconnection cables and a separate and dedicated revenue meter in respect of renewable energy generated by the part of the installation referred to in paragraph (a),

the eligible producer shall apply for a feed-in approval in respect of the installed capacity of the part of the installation referred to in paragraph (a) and a separate feeding approval in respect of the installed capacity of the remaining part of such installation.

10. Required information for application for feed-in approval.

(1) Every application for a feed-in approval under rule 5, 6, 7, 8 or 9 shall be submitted, wherever applicable, with the following information:

(a) the particulars of the eligible producer;

(b) a description of the renewable energy installation which shall be owned by the eligible producer, including-

(i) the renewable resource to be used for the operation of the renewable energy installation;

(ii) the proposed installed capacity of the renewable energy installation and the capability level of the renewable energy installation to provide renewable energy;

(iii) the proposed location of the renewable energy installation;

(iv) the proposed feed-in tariff commencement date which where applicable, shall take into account the requirements of the connection confirmation check or power system study conducted in accordance with the **Renewable Energy (Technical and Operational Requirements) Rules 2011**; and

(v) the proposed milestones and dates by which such milestones are to be achieved;

(c) the name of the distribution licensee whose electricity distribution network is proposed to be connected to the renewable energy installation;

(d) the location, details and specifications of the proposed connection between the renewable energy installation and the connection point and, where applicable, accompanied by a copy of the report of the connection confirmation check or power system study conducted in accordance with the **Renewable Energy (Technical and Operational Requirements) Rules 2011**;

(e) particulars of any feed-in approval currently or previously held by the eligible producer;

(f) evidence of the eligible producer's ownership of, or other conditional or unconditional rights to utilize, the site or building on which the renewable energy installation is to be located;

(g) where the eligible producer applies for any bonus feed-in tariff rate, such documents that are required under subrule 21(1); and

(h) such other information or document as the Authority may require in writing.

(2) In the case of an application for a feed-in approval by a company, the application shall be accompanied by the information required under subrule (1) and, where applicable, with the following additional information:

(a) corporate information of the company including the ultimate beneficial shareholders of the company; and

(b) the audited accounts, memorandum and articles of association and certified true copies of Forms 24, 44 and 49 under the **Companies Regulations 1966**[P.U. (A) 173/1966] of the company which have been filed with the Companies Commission of Malaysia.

11. Acknowledgement of receipt

Upon receipt of an application for feed-in approval under these Rules, the Authority shall issue an acknowledgement of receipt to the eligible producer in such manner as the Authority may determine.

PART III

FEED-IN APPROVAL

12. Grant or refusal of feed-in approval

(1) If the Authority has decided whether to approve or to refuse an application for a feed-in approval made under rule 5, 6, 7, 8 or 9, the Authority shall, by written notice, communicate its decision to the eligible producer and the relevant distribution licensee as soon as practicable.

(2) If the application is approved under subrule (1), the Authority shall issue a certificate of feed-in approval to the feed-in approval holder.

13. Standard conditions of feed-in approval

(1) A feed-in approval holder shall comply with the following standard conditions:

(a) subject to subrules (2) and (3), the feed-in approval holder shall continue to comply with the eligibility criteria described in rule 3;

(b) the feed-in approval holder shall meet such milestones by such dates as may be determined by the Authority;

(c) the feed-in approval holder shall observe and comply with the conditions of his or its feed-in approval, the provisions of the Act and any subsidiary legislation made under the Act, and all other applicable laws;

(d) the feed-in approval holder shall provide information, in such format and at such intervals, as may be required by the Authority in accordance with the Act and its subsidiary legislation;

(e) subject to subrule (2), the feed-in approval holder shall obtain written approval of the Authority in respect of any change in circumstances-

(i) which would result in the feed-in approval holder not complying with the eligibility criteria described in rule 3; and

(ii) which would otherwise result in the feed-in approval holder being no longer entitled to be granted a feed-in approval under the Act and these Rules; and

(f) the feed-in approval holder shall comply with such other conditions as may be determined by the Authority from time to time.

(2) Where a feed-in approval of a renewable energy installation has been assigned or transferred to a distribution licensee or an associate of the distribution licensee due to a breach of a renewable energy power purchase agreement-

(a) by a feed-in approval holder of such agreement, the distribution licensee or associate of the distribution licensee is not required to comply with paragraphs (1)(a) and subparagraph (1)(e)(i); or

(b) by a distribution licensee of such agreement, the distribution licensee or associate of the distribution licensee is not required to comply with paragraph (1)(a) and subparagraph (1)(e)(i) within twelve months from the date of such assignment or transfer or such longer period as may be approved by the Authority.

(3) After the expiry of the period referred to in paragraph (2)(b), the distribution licensee or associate of the distribution licensee shall comply with the standard conditions specified in paragraph (1)(a) by selling its rights, titles and interests in the renewable energy installation so that the distribution licensee's or the associate of the distribution licensee's direct or indirect ownership of the renewable energy installation shall not exceed forty-nine per centum.

14. Duration of feed-in approval

The duration of a feed-in approval shall be the same as the effective period applicable to a feed-in approval holder.

15. Change in particulars of information

A feed-in approval holder shall notify the Authority in writing, as soon as possible, of any change in the particulars of information submitted to the Authority under rule 10.

16. Replacement of feed-in approval

(1) Where a feed-in approval is lost or destroyed, a feed-in approval holder shall lodge a report to the Authority in respect of the loss or destruction.

(2) The feed-in approval holder referred to in subrule (1) shall make an application to the Authority in writing for a replacement of the feed-in approval and the application shall be accompanied by any information as required by the Authority.

(3) If the Authority is satisfied that the loss or destruction of a feed-in approval under subrule (1) did not involve any fraud, the Authority may issue a replacement for the feed-in approval with the word "DUPLICATE" endorsed on the new feed-in approval.

(4) The duplicate feed-in approval issued under subrule (3) shall have the same effect as the original feed-in approval.

17. Assignment or transfer of feed-in approval due to purchase of renewable energy installation by distribution licensee or associate of distribution licensee.

A feed-in approval holder whose renewable energy installation has been purchased by a distribution licensee or an associate of the distribution licensee as a result of a breach of a renewable energy power

purchase agreement registered under the Act shall assign or transfer his or its feed-in approval to the distribution licensee or associate of the distribution licensee in accordance with these Rules.

18. Application to assign or transfer feed-in approval

(1) A feed-in approval holder may apply to assign or transfer his or its feed-in approval by submitting a written application to the Authority and such application shall be accompanied by the relevant particulars of the proposed assignment or transfer, including the particulars of the proposed assignee or transferee.

(2) The Authority may, at any time after the receipt of an application under subrule (1), request the feed-in approval holder to give to the Authority the additional information or other documents within such time as may be specified in the request.

(3) Upon receipt of the request under subrule (2), the feed-in approval holder shall give the additional information or other documents to the Authority.

(4) If the additional information or other documents required under subrule (2) are not provided by the feed-in approval holder within the time specified in the request, the application shall be deemed to have been withdrawn and shall not be further proceeded with.

(5) Any application deemed to have been withdrawn under subrule (4) shall not effect the right of the feed-in approval holder to make a fresh application.

19. Approval to assign or transfer feed-in approval

(1) The Authority may, after considering the application made under subrule 18(1) and being satisfied with the additional information or other documents given under subrule 18(3), approve, with or without conditions, or refuse the application.

(2) The Authority shall not grant an approval under subrule (1) unless the feed-in approval holder has furnished sufficient evidence to the Authority's satisfaction that the proposed assignment or transfer-

(a) is not reasonably foreseeable at the time of the application for the feed-in approval;

(b) is just and reasonable; and

(c) is not inconsistent with the matters set out in subsection 3(3) of the Act.

(3) The Authority shall communicate its decision under subrule (1) to the feed-in approval holder by written notice as soon as practicable.

(4) The written notice referred to in subrule (3) shall specify-

(a) in the case where the application is approved, any condition imposed on such approval, if any; and

(b) in the case where the application is refused, the grounds for such refusal.

(5) Notwithstanding subrule (2), the Authority may approve an application of a feed-in approval holder to assign or transfer a feed-in approval to-

(a) a distribution licensee or an associate of the distribution licensee, provided that such assignment or transfer is as a result of the purchase of a renewable energy installation by the distribution licensee or

associate of the distribution licensee due to the breach of a renewable energy power purchase agreement registered under the Act;

(b) a proposed assignee or transferee of a feed-in approval relating to a renewable energy installation utilizing solar photovoltaic as its renewable resource with installed capacity up to and including seventy-two kilowatts upon the feed-in approval holder furnishing evidence of-

(i) the sale of the building to which such renewable energy installation relates; and

(ii) the novation of the applicable renewable energy power purchase agreement in such form as may be determined by the Authority.

PART IV

BASIC FEED-IN TARIFF RATE AND BONUS FEED-IN TARIFF RATE

20. Basic feed-in tariff rate

A feed-in approval holder shall be eligible to receive the basic feed-in tariff rate based on-

(a) the installed capacity of his or its renewable energy installation; and

(b) the type of renewable resource to be utilized by such installation,

in accordance with the Act and Part V of these Rules, and as set out in his or its feed-in approval.

21. Bonus feed-in tariff rate

(1) Subject to rule 23, a feed-in approval holder shall be eligible to receive a bonus feed-in tariff rate if he or it establishes that his or its entire renewable energy installation utilizing the renewable resource specified in column (1) of the First Schedule has met or shall meet the applicable criteria specified in column (2) of the Schedule by submitting to the Authority-

(a) at the time of the application for the feed-in approval, the documents in respect of each criteria as specified in paragraph (a) of column (3) of the First Schedule; and

(b) not less than fourteen days before the feed-in tariff commencement date, the documents in respect of each criteria as specified in paragraph (b) of column (3) of the First Schedule.

(2) The feed-in approval holder shall certify all copies of the documents referred to in subrule (1) in such manner as may be determined by the Authority.

(3) A feed-in approval holder who submits the documents under subrule (1) shall ensure that the documents provided are true, accurate and complete and shall provide a representation to that effect, including a representation that he or it is not aware of any other information or document which would make the documents submitted untrue or misleading.

PART V

CALCULATION OF BASIC FEED-IN TARIFF RATE, EFFECTIVE PERIOD AND BONUS FEED-IN TARIFF RATE

22. Calculation of basic feed-in tariff rate and effective period

(1) Where an application for a feed-in approval under rule 5 is granted by the Authority, the applicable basic feed-in tariff rate, bonus feed-in tariff rate, feed-in tariff commencement date and effective period of such installation shall be as provided in the Schedule of the Act.

(2) Where an application for a feed-in approval under subrule 6(1) is granted by the Authority-

(a) the basic feed-in tariff rate in respect of all renewable energy generated by such installation shall be calculated based on-

(i) the lowest basic feed-in tariff rate among the types of renewable resources utilized; and

(ii) the total combined installed capacity of such installation; and

(b) the effective period in respect of all renewable energy generated by such installation shall be calculated based on the shortest effective period among the types of renewable resources utilized.

(3) Where an application for a separate feed-in approval under subrule 6(2) is granted by the Authority, the renewable energy generated by each type of the renewable resource shall be deemed to be generated by a separate renewable energy installation for the purposes of determining the applicable basic feed-in tariff rate, bonus feed-in tariff rate, feed-in tariff commencement date and effective period.

(4) Where an application for a feed-in approval under subrule 7(1) is granted by the Authority-

(a) the basic feed-in tariff rate in respect of all renewable energy generated by the renewable energy installation shall be calculated based on-

(i) the lowest basic feed-in tariff rate among the types of renewable resources utilized; and

(ii) the total combined installed capacity of such installation; and

(b) the effective period in respect of all renewable energy generated by the renewable energy installation shall be calculated based on the shortest effective period among the types of renewable resources utilized and shall commence on the new feed-in tariff commencement date for the new feed-in approval and continue for the full period as specified in the fourth column of the Schedule to the Act.

(5) Where an application for a separate feed-in approval under subrule 7(2) is granted by the Authority, the renewable energy generated by the increase in installed capacity shall be deemed to be generated by a separate renewable energy installation for the purposes of determining the applicable basic feed-in tariff rates, bonus feed-in tariff rates, feed-in tariff commencement date and effective period.

(6) Where an application for a feed-in approval under subrule 8(1) is granted by the Authority-

(a) the basic feed-in tariff rate in respect of all renewable energy generated by such installation shall be calculated based on the total combined installed capacity of such installation; and

(b) the effective period in respect of all renewable energy generated by the renewable energy installation shall commence on the new feed-in tariff commencement date for the new feed-in approval and continue for the full period as specified in the fourth column of the Schedule to the Act.

(7) Where an application for a separate feed-in approval under subrule 8(2) is granted by the Authority, the renewable energy generated by the increase in installed capacity shall be deemed to be generated by a separate renewable energy installation for the purposes of determining the applicable basic feed-in tariff rates, bonus feed-in tariff rates, feed-in tariff commencement date and effective period.

23. Calculation of bonus feed-in tariff rates

Where an application for a separate feed-in approval under rule 9 is granted by the Authority, the renewable energy generated by each part of the installation shall be deemed to be generated by a separate renewable energy installation for the purposes of determining the applicable bonus feed-in tariff rate, feed-in tariff commencement date and effective period.

PART VI

MISCELLANEOUS

24. Fees

(1) The fees to be paid in respect of an application for a feed-in approval shall be as specified in the Second Schedule.

(2) The fees shall be paid to the Authority in such manner and within such time as may be determined by the Authority.

25. Extension of time

(1) Notwithstanding anything contained in these Rules, in any condition of a feed-in approval or in any request by the Authority, where a time period is specified for an act to be done or a condition to be fulfilled, the person affected may request for an extension of such time in writing to the Authority.

(2) The Authority may, upon receipt of the request made by the affected person under subrule (1), grant such extension of time as it deems fit, provided that such person has furnished sufficient evidence to the Authority's satisfaction that the proposed extension of time-

(a) is required not as a result of such person's act, omission or negligence;

(b) is not reasonably foreseeable at the time of the application for the feed-in approval;

(c) is just and reasonable; and

(d) is not inconsistent with the matters set out in subsection 3(3) of the Act.

26. Giving false or misleading information or document

A person who fails to disclose or omit to give any relevant information or document to the Authority under these Rules, or provides to the Authority under these Rules any information or document that he knows or has reason to believe is false or misleading, commits an offence and shall, on conviction, be liable to a fine not exceeding three hundred thousand ringgit or to imprisonment for a term not exceeding three years or to both.

FIRST SCHEDULE

[Paragraph 10(1)(g) and subrule 21(1)]

DOCUMENTS REQUIRED TO ESTABLISHED ELIGIBILITY FOR BONUS FEED-IN TARIFF RATE

Renewable resource (1)	Bonus feed-in tariff rate criteria (2)	Documents required (3)
1. Biogas	(a) Use of gas engine technology with electrical efficiency of above 40%	<p>(a) At the time of the application for feed-in approval:</p> <p>Relevant specifications as tested according to the international standards by certified testing bodies as may be recognized by the Authority.</p> <p>(b) Not less than fourteen days before the feed-in tariff commencement date:</p> <p>A written confirmation by a qualified person that the equipment specified in the manufacturers referred to in paragraph (a) was installed in the renewable energy installation.</p>
	(b) Use of locally manufactured or assembled gas engine technology	<p>(a) At the time of the application for feed-in approval:</p> <p>(i) a certified copy of the manufacturer's issued under the Industrial Co-ordination Act 1975<i>[Act 156]</i>;</p> <p>(ii) a certificate of factory acceptance test or its equivalent; or</p> <p>(iii) a certificate from the manufacturer.</p> <p>(b) Not less than fourteen days before the feed-in tariff commencement date:</p> <p>A written confirmation by a qualified person that the gas engine technology equipment from the manufacturer specified in the relevant document referred to in paragraph (a) was installed in the renewable energy installation.</p>

	(c) Use of landfill or sewage gas as fuel source	<p>(a) At the time of the application for feed-in approval:</p> <p>(i) a written evidence of the eligible ownership of a landfill or sewage system, or a certified copy of a conditional or unconditional letter from, or an agreement with, the relevant municipal council or other entity agreeing to supply the eligible producer with the relevant fuel source; and</p> <p>(ii) a written documentation from a qualified person setting out the design of the renewable energy installation utilizing the relevant fuel source including the relevant equipment for the combustion process of the fuel source, the calculation of the indicative quantity of fuel source required and the calculation of the indicative quantity of renewable energy to be generated by the installation.</p> <p>(b) Not less than fourteen days before the feed-in tariff commencement date:</p> <p>A written confirmation by a qualified person that the applicable requirements of the Renewable Energy (Technical and Operational Requirements) Rules 2011 relating to the commissioning of the renewable energy installation have been successfully met utilizing the fuel source substantially in the manner described in subparagraph (a)(ii).</p>
2. Biomass	(a) Use of gasification technology	<p>(a) At the time of the application for feed-in approval:</p> <p>Relevant specifications and data sheet tested according to the international standards by certified testing bodies as may be recognized by the Authority providing for the conversion of biomass to gasification through gasification or plasma technology.</p> <p>(b) Not less than fourteen days before the feed-in tariff commencement date:</p> <p>A written confirmation by a qualified person that the applicable requirements of the Renewable Energy (Technical and Operational Requirements) Rules 2011 relating to the commissioning of the renewable energy installation have been successfully met utilizing the technology referred to in paragraph (a).</p>
	(b) Use of steam-based electricity generating systems with overall efficiency of above 14%	<p>(a) At the time of the application for feed-in approval:</p> <p>A written confirmation by a qualified person verifying that the criteria will be met based on the design efficiency of the renewable energy installation,</p>

		<p>accompanied by the relevant calculations.</p> <p>(b) Not less than fourteen days before the feed-in tariff commencement date:</p> <p>A written confirmation by a qualified person that the criteria was successfully met during the commissioning of the renewable energy installation in accordance with the applicable requirements of the Renewable Energy (Technical and Operational Requirements) Rules 2011.</p>
	<p>(c) Use of locally manufactured or assembled gasification technology Co-ordination Act 1975;</p>	<p>(a) At the time of the application for feed-in approval:</p> <p>(i) a certified copy of the manufacturer's issued under the Industrial</p> <p>(ii) a certificate of factory acceptance test or its equivalent; or</p> <p>(iii) a certificate from the manufacturer.</p> <p>(b) Not less than fourteen days before the feed-in tariff commencement date:</p> <p>A written confirmation by a qualified person that the gasification technology equipment from the manufacturer specified in the relevant document referred to in paragraph (a) was installed in the renewable energy installation</p>
	<p>(d) Use of municipal solid waste as fuel source</p>	<p>(a) At the time of the application for feed-in approval:</p> <p>(i) a written evidence of the eligible ownership of a landfill, or a certified copy of a conditional or unconditional letter from, or an agreement with, the relevant municipal council or other entity agreeing to supply the eligible producer with the relevant fuel source; and</p> <p>(ii) a written documentation from a qualified person setting out the design of the renewable energy installation utilizing the fuel source including the relevant equipment for the combustion process of the fuel source, the calculation of the indicative quantity of fuel source required and the calculation of the indicative quantity of renewable energy to be generated by the installation.</p> <p>(b) Not less than fourteen days before the feed- in tariff commencement date:</p> <p>A written confirmation by a qualified person that the</p>

		applicable requirements of the Renewable Energy (Technical and Operational Requirements) Rules 2011 relating to the commissioning of the renewable energy installation have been successfully met utilizing the fuel source substantially in the manner described in subparagraph (a)(ii).
3. Solar photovoltaic	(a) Use as installation in buildings or building structures	(a) At the time of the application for feed-in approval: Design drawings accompanied by the written confirmation by a qualified person that the criteria will be met based on such design drawings. (b) Not less than fourteen days before the feed-in tariff commencement date: Acceptance test report
	(b) Use as building material	(a) At the time of the application for feed-in approval: Design drawings accompanied by the written confirmation by a qualified person that the criteria will be met based on such design drawings. (b) Not less than fourteen days before the feed-in tariff commencement date: Acceptance test report
	(c) Use of locally manufactured or assembled solar photovoltaic modules	(a) At the time of the application for feed-in approval: (i) a certified copy of the manufacturer's issued under the Industrial Co-ordination Act 1975 ; (ii) a certificate of factory acceptance test or its equivalent; or (iii) a certificate from the manufacturer. (b) Not less than fourteen days before the feed-in tariff commencement date: A written confirmation by a qualified person that the solar photovoltaic modules from the manufacturer specified in the relevant document referred to in paragraph (a) was installed in the renewable energy installation.
	(d) Use of locally manufactured or assembled solar inverters	(a) At the time of the application for feed-in approval: (i) a certified copy of the manufacturer's issued under the Industrial Co-ordination Act 1975; (ii) a certificate of factory acceptance test or its

		<p>equivalent; or</p> <p>(iii) a certificate from the manufacturer.</p> <p>(b) Not less than fourteen days before the feed-in tariff commencement date:</p> <p>A written confirmation by a qualified person that the solar inverters from the manufacturer specified in the relevant document referred to in paragraph (a) was installed in the renewable energy installation.</p>
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SECOND SCHEDULE

(Subrule 4(1) and rule 24)

FEES

Item	Type of fees	Amount of fees (RM)
1.	<p>Application form for feed-in approval</p> <p>(a) in physical form</p> <p>(b) by an electronic medium or by way of an electronic transmission</p>	<p>10.00 per form</p> <p>Nil</p>
2.	<p>Application fee for feed-in approval of-</p> <p>(a) a renewable energy installation with an installed capacity up to and including seventy-two kilowatts</p> <p>(b) a renewable energy installation with an installed capacity exceeding seventy-two kilowatts</p>	<p>Nil</p> <p>10.00 per kilowatt of the installed capacity</p>
3.	<p>Processing fee for the application for feed-in approval submitted-</p> <p>(a) in a physical form for:</p> <p>(i) a renewable energy installation with an installed capacity up to and including seventy-two kilowatts</p> <p>(ii) a renewable energy installation with an installed capacity exceeding seventy-two kilowatts</p> <p>(b) by an electronic medium or by way of an electronic transmission</p>	<p>100.00 per application</p> <p>1,000.00 per application</p> <p>Nil</p>

