

SCHEDULE 9

Amendments to retained EU law

PART 1

Amendments to the General Block Exemption Regulation

Article 2 (definitions)

3. In Article 2—

(a) before paragraph 1, insert—

“(A1) ‘state aid regulations’ means the State Aid (EU Exit) Regulations 2019;

(A2) ‘approved regional aid map’ means the regional aid map for the United Kingdom that was approved by the Commission for the period 2014-2020 in decision SA.38113, as amended by decision SA.46361 (OJNo. C 233, 18.07.2014 p. 1 and OJ No. C 83, 17.03.2017 p. 1);

(A3) ‘CMA’ means the Competition and Markets Authority;”;

(b) in paragraph 4—

(i) in point (f)—

(aa) for “a Member State”, substitute “the United Kingdom”;

(bb) for “that Member State”, substitute “the United Kingdom”;

(ii) in point (g), for “a Member State”, substitute “the United Kingdom”;

(c) in paragraph 7—

(i) after “means”, insert “islands”;

(ii) omit “outermost regions, Malta, Cyprus, Ceuta and Melilla, islands”;

(iii) for “a Member State”, substitute “the United Kingdom”;

(d) omit paragraph 12;

(e) in paragraph 13, after “uncompetitive coal mines”, insert “(as it had effect immediately before exit day)”;

(f) in paragraph 20, for “an approved regional map and which is in force on the date of granting the aid”, substitute “the approved regional aid map”;

(g) in paragraph 27, for “an approved regional aid map for the period 1.7.2014 - 31.12.2020 in application of Articles 107(3)(a) and (c) of the Treaty”, substitute “the approved regional aid map”;

(h) in paragraph 35, for “Member State concerned”, substitute “United Kingdom”;

(i) in paragraph 48, for “by the Commission as such in an individual decision on a regional aid map in force at the time the aid is granted”, substitute “as such in the approved regional aid map”;

(j) in paragraph 48a, for “by the Commission as such in an individual decision on a regional aid map in force at the time the aid is granted”, substitute “as such in the approved regional aid map”;

(k) in paragraph 50, omit “as laid down in Regulation (EC) No 1893/2006 of the European Parliament and of the Council of 20 December 2006 establishing the statistical

- classification of economic activities NACE Revision 2 and amending [Council Regulation \(EEC\) No 3037/90](#) as well as certain EC Regulations on specific statistical domains”;
- (l) in paragraph 55, omit “an outermost region referred to in Article 349 of the Treaty,”;
- (m) in paragraph 61a, for “another contracting party to the EEA Agreement”, substitute “the United Kingdom”;
- (n) in paragraph 79—
- (i) for “a Member State”, in both places it occurs, substitute “the United Kingdom”;
 - (ii) for “the provisions of [Directive 2004/18/EC](#) on”, substitute “retained EU law relating to”;
 - (iii) for “and public service contracts”, substitute “, public service contracts and concession contracts”;
 - (iv) omit “, or any subsequent legislation replacing that Directive in full or in part”;
- (o) in paragraph 81, for “a multilateral trading facility as defined in Article 4(1)(15) of [Directive 2004/39/EC](#)”, substitute “a UK multilateral trading facility or an EU multilateral trading facility, as those terms are defined in Article 2(1) of Regulation (EU) No 600/2014 of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Regulation (EU) No 648/2012,”;
- (p) in paragraph 91, omit “in accordance with Article 2(a) of Council Regulation [\(EC\) No 723/2009](#) of 25 June 2009 on the Community legal framework for a European Research Infrastructure Consortium (ERIC)”;
- (q) in paragraph 102—
- (i) for “‘Union standard’ means”, substitute “‘national standard’ means”;
 - (ii) in point (a), for “a mandatory Union standard”, substitute “an applicable mandatory requirement”;
 - (iii) omit point (b) and the “or” before it;
- (r) in paragraph 107, for “means cogeneration which satisfies the definition of high efficiency cogeneration as set out in Article 2(34) of [Directive 2012/27/EU](#) of the European Parliament and of the Council of 25 October 2012 on energy efficiency, amending Directives [2009/125/EC](#) and [2010/30/EU](#) and repealing Directives [2004/8/EC](#) and [2006/32/EC](#)”, substitute “has the meaning given in regulation 2 of the Guarantees of Origin of Electricity Produced from High-efficiency Cogeneration Regulations 2007”;
- (s) omit paragraph 120;
- (t) in paragraph 129, for “from a Union technological and internal market perspective”, substitute “from a United Kingdom technological perspective”;
- (u) in paragraph 130—
- (i) in the first subparagraph, for “Union”, in both places it occurs, substitute “United Kingdom”;
 - (ii) in point (a)(i), for “Article 2(3) by [Directive 2009/72/EC](#) of 13 July 2009 concerning common rules for internal market in electricity”, substitute “Article 2 of Regulation [\(EC\) No 714/2009](#) of the European Parliament and of the Council on conditions for access to the network for cross-border exchanges in electricity”;
 - (iii) in point (a)(ii), for “Article 2(5) by [Directive 2009/72/EC](#)”, substitute “Article 2 of Regulation [\(EC\) No 714/2009](#) of the European Parliament and of the Council on conditions for access to the network for cross-border exchanges in electricity”;
- (v) omit paragraph 131;

- (w) in paragraph 132—
 - (i) for “two or more Member States”, substitute “the United Kingdom and one or more Member States or EFTA States”;
 - (ii) for “living in a Member State”, substitute “living in the United Kingdom or a Member State or EFTA State”;
 - (iii) for “another Member State”, substitute “a Member State or an EFTA State”;
 - (iv) for “Member States’ national law”, substitute “national law”;
- (x) in paragraph 140—
 - (i) for “by Member States”, substitute “by aid grantors”;
 - (ii) for “a Member State”, substitute “the United Kingdom”;
- (y) in paragraph 145—
 - (i) for “Member State or”, substitute “Member State, an EFTA State,”;
 - (ii) after “a Member of the Common European Aviation Area”, insert “or the competent authority of the United Kingdom”;
- (z) in paragraph 161, for “such as electricity, hydrogen, biofuels as defined in point (i) of Article 2 of [Directive 2009/28/EC](#), synthetic and paraffinic fuels, natural gas, including biomethane, in gaseous form (compressed natural gas (CNG)) and liquefied form (liquefied natural gas (LNG)), and liquefied petroleum gas (LPG) which serve, at least partly, as a substitute for fossil oil sources in the energy supply to transport and which have the potential to contribute to its decarbonisation and enhance the environmental performance of the transport sector”, substitute “meeting the definition of alternative fuels as set out in regulation 2(1) of the Alternative Fuels Infrastructure Regulations 2017”;
- (aa) in paragraph 165, for “[Directive 2000/59/EC](#) of the European Parliament and of the Council”, substitute “regulation 2 of the Merchant Shipping and Fishing Vessels (Port Waste Reception Facilities) Regulations 2003”.