

**EXPLANATORY MEMORANDUM TO  
THE GAS TRANSIT (EEC REQUIREMENTS) (REVOCATION AND SAVING)  
REGULATIONS 2014**

**2014 No. 529**

1. This explanatory memorandum has been prepared by Department of Energy and Climate Change and is laid before Parliament by Command of Her Majesty.
2. **Purpose of the instrument**
  - 2.1 These Regulations revoke the Gas Transit (EEC Requirements) Regulations 1992, S.I. 1992/1190 (“the 1992 Regulations”), which gave effect to Council Directive 91/296/EEC. That Directive required EEC member States to take certain measures necessary to facilitate the transit of natural gas between high pressure transmission grids. The Directive has now been repealed albeit subject to a saving in relation to existing gas transit contracts (to which the Directive continues to apply), therefore the Regulations contain a saving in regulation 3 in relation to existing gas transit contracts concluded pursuant to the 1992 Regulations.
3. **Matters of special interest to the Joint Committee on Statutory Instruments**
  - 3.1 None
4. **Legislative Context**
  - 4.1 The 1992 Regulations are being revoked because the European legislation to which they gave effect in domestic law has been repealed.
  - 4.2 The repeal of the European legislation was subject to a saving that the legislation continued to apply in relation to any contracts concluded under that legislation. So these Regulations contain a saving so that the 1992 Regulations continue to apply in respect of any existing gas transit contracts which were concluded pursuant to the 1992 Regulations.
5. **Territorial Extent and Application**
  - 5.1 This instrument applies to the United Kingdom.
6. **European Convention on Human Rights**

As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.
7. **Policy background**

- What is being done and why

7.1 This Order is made as a result of the government's 'Red Tape Challenge' programme which sought the views of businesses and the public on the removal and reform of areas of regulation. DECC holds primary responsibility for the 'Red Tape Challenge Energy Theme' under which these revocations are being delivered.

7.2 As the European legislation which the 1992 Regulations gave effect to has been revoked, the 1992 Regulations are no longer needed.

- Consolidation

7.3 This is not a consolidation.

## **8. Consultation outcome**

8.1 No specific consultation concerning the Regulations was undertaken. As part of the Red Tape Challenge, every few weeks regulation affecting a specific sector or industry (as well as that of general regulation that cuts across sectors) is published by the Cabinet Office online (at this web address: <http://www.redtapechallenge.cabinetoffice.gov.uk/home/index/>) for the public and stakeholders to suggest how they can be 'scrapped' or 'improved'. The department also ran an internal challenge process to identify measures which could be removed or reformed, which identified the Regulations for revocation. No external comments were received concerning the Regulations.

## **9. Guidance**

9.1 There will be no guidance issued.

## **10. Impact**

10.1 The impact on business, charities or voluntary bodies is nil.

10.2 The impact on the public sector is nil.

10.3 An Impact Assessment has not been prepared for this instrument.

## **11. Regulating small business**

11.1 The legislation does not apply to small business.

## **12. Monitoring & review**

12.1 There is no need to monitor and review as this is a revocation.

### **13. Contact**

Saleha Dani at the Department of Energy and Climate Change, Tel: 0300 068 5195, email: [saleha.dani@decc.gsi.gov.uk](mailto:saleha.dani@decc.gsi.gov.uk) can answer any queries regarding the instrument.