
STATUTORY INSTRUMENTS

2019 No. 530

**The Electricity and Gas etc. (Amendment
etc.) (EU Exit) Regulations 2019**

PART 2

Amendment of primary legislation

47.—(1) Section 10E (grounds for certification) is amended as follows.

(2) In subsection (1)—

(a) in paragraph (a)—

(i) omit “preliminary”;

(ii) for “an applicant should be certified” substitute “^{F1}... to certify an applicant”;

(b) omit paragraph (b).

(3) In subsection (2), omit “decide that the applicant should be certified, or”.

(4) In subsection (8)—

(a) omit paragraph (a);

(b) in paragraph (b)—

(i) omit “must not decide that the applicant should be certified, and”;

(ii) omit “or any other EEA state”;

(c) omit paragraph (c).

(5) After subsection (8) insert—

“(9) For the purposes of subsection (4), Article 9(9) of the Electricity Directive is to be treated as if the comparison with the provisions of Chapter 5 of the Electricity Directive were a comparison with the provisions of Chapter 5 as they applied in relation to a member State immediately before [^{F2}IP completion day].

(10) For the purposes of subsection (5), the references to Article 13(1) and (2) of the Electricity Directive are to be treated as references to those provisions with the following modifications—

(a) Article 13(1) is to be read as if “Such designation shall be subject to approval by the Commission” were omitted;

(b) Article 13(2)(b) is to be read as if the reference to Article 12 of the Electricity Directive were a reference to Article 12 with the omission of point (h);

(c) Article 13(2)(e) is to be read as if—

(i) for “Regulation (EC) No 714/2009” there were substituted “ the Electricity Regulation ”, and

(ii) the words from “including” to the end were omitted.”.

Changes to legislation: There are currently no known outstanding effects for the The Electricity and Gas etc. (Amendment etc.) (EU Exit) Regulations 2019, Section 47. (See end of Document for details)

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Textual Amendments

- F1** Word in reg. 47(2)(a)(ii) omitted (15.9.2020) by virtue of [The Electricity and Gas etc. \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1016\)](#), regs. 1(2), **3(18)(a)**
- F2** Words in reg. 47(5) substituted (15.9.2020) by [The Electricity and Gas etc. \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1016\)](#), regs. 1(2), **3(18)(b)**
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Commencement Information

- I1** Reg. 47 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Electricity and Gas etc. (Amendment etc.) (EU Exit) Regulations 2019, Section 47.