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STATUTORY RULES OF NORTHERN IRELAND

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**2013 No. 208**

**The Electricity and Gas (Market Integrity and Transparency)  
(Enforcement etc.) Regulations (Northern Ireland) 2013**

**PART 1**

General

**Citation and commencement**

1. These Regulations may be cited as the Electricity and Gas (Market Integrity and Transparency) (Enforcement etc.) Regulations (Northern Ireland) 2013 and come into operation on 31st August 2013.

**Interpretation**

2.—(1) In these Regulations—

“the Authority” means the Northern Ireland Authority for Utility Regulation;

“chief executive” in relation to a body corporate, means an employee of that body who, alone or jointly with one or more others, is responsible under the immediate authority of the directors, for the conduct of the whole of the business of that body;

“Department” means the Department of Enterprise, Trade and Investment;

“director” in relation to a body corporate, includes—

- (a) a person occupying in relation to it, the position of a director (by whatever name called); and
- (b) a person in accordance with whose directions or instructions (not being advice given in a professional capacity) the directors of that body are accustomed to act;

“documents” includes information recorded in any form and, in relation to information recorded otherwise than in legible form, references to its production include references to producing a copy of the information in legible form, or in a form from which it can readily be produced in visible and legible form;

“investigation” means an investigation conducted in accordance with regulation 10;

“premises” has the same meaning as in Article 25 of the Police and Criminal Evidence (Northern Ireland) Order 1989<sup>M1</sup>;

“regulated person” has the meaning given in regulation 3;

<sup>F1</sup>“REMIT” means—

- (a) in relation to anything done before IP completion day, Regulation (EU) No 1227/2011 of the European Parliament and of the Council on wholesale energy market integrity and transparency, as it applied immediately before IP completion day;

- (b) in relation to anything done on or after IP completion day, that Regulation as it applies in the law of Northern Ireland on or after IP completion day by virtue of section 3 of the European Union (Withdrawal) Act 2018.]

“REMIT requirement” has the meaning given in regulation 4;

“the Tribunal” means the Upper Tribunal <sup>M2</sup>;

“Tribunal Procedure Rules” means rules provided for in section 22 of the Tribunals, Courts and Enforcement Act 2007”;

“wholesale energy market” has the same meaning as in REMIT.

(2) The Interpretation Act (Northern Ireland) 1954 <sup>M3</sup> applies to these Regulations as it applies to an Act of the Assembly.

#### Textual Amendments

- F1** Words in [reg. 2\(1\)](#) substituted (31.12.2020) by S.I. 2019/534, reg. 5(2) (as substituted by [The Electricity and Gas etc. \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1016\)](#), regs. 1(2), 7(4))

#### Marginal Citations

- M1** [S.I. 1989/1341\(N.I.12\)](#)  
**M2** 2007 Section 3 of the Tribunals, Courts and Enforcement Act 2007. c.15  
**M3** [1954 c.33\(N.I.\)](#)

### Regulated person

3.—(1) “Regulated person” means any person who is—

- (a) a market participant; or
- (b) a person subject to an obligation imposed by Article 15 of REMIT.

(2) In this regulation “market participant” has the same meaning as in REMIT.

### REMIT requirement

4. “REMIT requirement” means a requirement imposed by any of the following Articles of REMIT—

- (a) Article 3(1) and (5) (prohibition of insider trading);
- (b) Article 4(1), (2) and (3) (obligation to publish inside information);
- (c) Article 5 (prohibition of market manipulation);
- (d) Article 15 (obligations of persons professionally arranging transactions).

### Application to the Crown etc

5. Schedule 1 (application to the Crown etc) has effect.

### Service of Notices

6. Schedule 2 (service of notices) has effect.

**Changes to legislation:**

There are currently no known outstanding effects for the The Electricity and Gas (Market Integrity and Transparency) (Enforcement etc.) Regulations (Northern Ireland) 2013, PART 1.