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DRAFT STATUTORY INSTRUMENTS

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**2019 No.**

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

PART 2

Amendment of primary legislation

**Electricity Act 1989**

**56.**—(1) Section 44B (meaning of “Article 37 dispute”) is amended as follows.

(2) In the title, for ““Article 37”” substitute ““section 44B””.

(3) In subsection (1)—

(a) for “an “Article 37 dispute”” substitute “a “section 44B dispute””;

(b) in paragraph (b), for the words from “under” to “Directive” substitute “which falls within subsection (2A)”.

(4) After subsection (2) insert—

“(2A) An obligation of the person complained against falls within this subsection if it is—

(a) an obligation under a relevant condition or relevant requirement in relation to that person imposed before exit day for the purpose of implementing the Electricity Directive, including such an obligation as modified on or after exit day, or

(b) an obligation under a relevant condition or relevant requirement in relation to that person imposed on or after exit day which, if it had been imposed immediately before exit day, would have been an obligation imposed for the purpose of implementing the Electricity Directive.”.