

SCHEDULE 2

The Gas Regulation

19.—(1) Annex I (guidelines) is amended as follows.

(2) In point 1.5, omit the words from “no later than” to the end.

(3) In point 1.8, after the words “transmission system operators” (in the second place where it appears) insert “, and endeavour to cooperate with non-UK TSOs in connected member States and connected third countries,”.

(4) In point 2.1.6, in the second paragraph, before “regulatory” insert “ national ”.

(5) In point 2.2.1—

(a) in paragraph 1, in the first subparagraph—

(i) in the first sentence, for the words from “two or more” to the end, substitute—

“Great Britain or Northern Ireland and—

(a) the other part of the United Kingdom or a connected member State; or

(b) if the national regulatory authority so directs, a connected third country,

in so far as the points are subject to booking procedures by users.”;

(ii) omit the second sentence;

(b) omit paragraph 2;

(c) omit paragraph 4.

(6) In point 2.2.2—

(a) in paragraph 1, in the second sentence—

(i) for “adjacent Member States” substitute “ connected countries or territories ”;

(ii) for “the adjacent national regulatory” substitute “ those ”;

(b) in paragraph 3, in the third sentence, for “National regulatory authorities” substitute “ The national regulatory authority ”.

(7) In point 2.2.3—

(a) in paragraph 1—

(i) for “National regulatory authorities” substitute “ The national regulatory authority ”;

(ii) omit from “, on the basis” to “shown that”;

(iii) for “the year covered by the monitoring report” substitute “ the most recent year for which the national regulatory authority has the relevant information ”;

(b) in paragraph 2—

(i) for “If, on the basis of the yearly monitoring report, it is shown” substitute “ If the national regulatory authority considers ”;

(ii) for “relevant national regulatory authorities” substitute “ national regulatory authority ”;

(c) in paragraph 5—

(i) omit “— persons or undertakings and the undertakings they control pursuant to Article 3 of Regulation (EC) No 139/2004 —”;

(ii) at the end insert “ For this purpose, any capacity which is held by a person controlled by a network user is to be treated as capacity held by that network user. ”;

Changes to legislation: There are currently no known outstanding effects for the The Electricity and Gas etc. (Amendment etc.) (EU Exit) Regulations 2019, Paragraph 19. (See end of Document for details)

- (d) in paragraph 6, omit the second sentence;
- (e) in paragraph 7—
 - (i) in the first sentence, at the beginning, for “A” substitute “ The ”;
 - (ii) in the second sentence, for “adjacent Member States” substitute “ connected countries or territories ”;
 - (iii) in the third sentence, for “the adjacent national regulatory” substitute “ those ”.
- (8) In point 2.2.5—
 - (a) in paragraph 1, for “National regulatory authorities” substitute “ The national regulatory authority ”;
 - (b) in paragraph 4, for “national regulatory authorities” substitute “ the national regulatory authority ”.
- (9) In point 3.1.1(1)—
 - (a) in subparagraph (e)—
 - (i) for “authorities” substitute “ authority ”;
 - (ii) omit “— on the basis of an opinion on a harmonised format that shall be provided by the Agency —”;
 - (b) omit subparagraphs (g) and (h).
- (10) In point 3.2(1)—
 - (a) in subparagraph (a), for “the EU” substitute “ Great Britain or Northern Ireland ”;
 - (b) in subparagraph (d), omit “as defined by Article 2(14) of Directive [2009/73/EC](#)”.
- (11) In point 3.3(1)—
 - (a) in the words before subparagraph (a), for “(a) to (g)”, in both places that it occurs, substitute “ (a) to (k) ”;
 - (b) omit subparagraph (l).
- (12) In point 3.4(7), in the second sentence, before “regulatory” insert “ national ”.

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Commencement Information

- II** Sch. 2 para. 19 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

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