
STATUTORY INSTRUMENTS

2020 No. 1016

**The Electricity and Gas etc. (Amendment)
(EU Exit) Regulations 2020**

**Amendments to the Electricity and Gas (Market Integrity and Transparency) (Amendment)
(EU Exit) Regulations 2019**

7.—(1) The Electricity and Gas (Market Integrity and Transparency) (Amendment) (EU Exit) Regulations 2019(1) are amended as follows.

(2) In regulation 3(2), for “exit day”, in each place it occurs, substitute “IP completion day”.

(3) For regulation 4(2) substitute—

“(2) In regulation 2 (definitions)—

(a) in paragraph (1), for the definition of “REMIT” substitute—

““REMIT” has the meaning given by paragraphs (3) and (4);”;

(b) after paragraph (2) insert—

“(3) In these regulations so far as they apply to England and Wales and Scotland “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 England and Wales and Scotland on or after IP completion day.

(4) In these regulations so far as they apply to Northern Ireland, “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.””

(4) In regulation 5, for paragraph (2) substitute—

“(2) In regulation 2(1) (interpretation), for the definition of REMIT substitute—

““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.”.”

(5) Schedule 1 is amended as follows.

(a) in paragraph 2—

(i) for sub-paragraph (2)(a) substitute—

“(a) for sub-paragraph (a) substitute—

“(a) information which is required to be made public in accordance with:

- (i) guidelines and network codes adopted pursuant to Regulation (EC) No 714/2009 before 1 January 2020; or
(ii) the Electricity Regulation or the Gas Regulation, including guidelines and network codes adopted, or regulations made, pursuant to those Regulations;”

(ii) in sub-paragraph (8)—

- (aa) in point (16) for “Regulation (EC) No 714/2009 of the European Parliament and of the Council on conditions for access to the network of cross-border exchanges in electricity” substitute “Regulation (EU) 2019/943 of the European Parliament and of the Council of 5 June 2019 on the internal market for electricity (recast)”;
- (bb) in point (19) for “exit day”, in each place it occurs, substitute “IP completion day”;
- (cc) in point (21) for “Regulation (EC) No 713/2009 of the European Parliament and of the Council” substitute “Regulation (EU) 2019/942 of the European Parliament and of the Council of 5 June 2019 (recast)”;
- (dd) in point (25), in paragraph (b) omit “Article 10 of the Electricity (Northern Ireland) Order 1992 or”;

(b) in paragraph 3(2), for “exit day”, in each place it occurs, substitute “IP completion day”;

(c) in paragraph 4—

(i) for sub-paragraph (3) substitute—

“(3) For paragraph 4 substitute—

“4. The publication of inside information, including in aggregated form, in accordance with:

- (a) guidelines and network codes adopted pursuant to Regulation (EC) No 714/2009 before 1 January 2020; or
(b) the Electricity Regulation or the Gas Regulation, or guidelines and network codes adopted, or regulations made, pursuant to those Regulations,

constitutes simultaneous, complete and effective public disclosure.”.”;

(ii) in sub-paragraph (6), in paragraph 6A—

- (aa) in sub-paragraph (a), for “exit day” substitute “IP completion day”;
- (bb) at the end of sub-paragraph (b), omit “or”;

- (cc) in sub-paragraph (c), for “.” substitute “; or”;
- (dd) after sub-paragraph (c) insert—
 - “(d) any network codes or guidelines adopted under Regulation (EC) No 714/2009 before 1 January 2020.”;
- (d) in paragraph 7—
 - (i) for sub-paragraph (8)(a), substitute—
 - “(a) enters into a reportable transaction on or after IP completion day but before the end of the period of 28 days beginning with the day after that on which IP completion day falls”;
 - (ii) in sub-paragraph (8)(c), for “exit day” substitute “IP completion day”;
 - (iii) in sub-paragraph (9), for “27th April 2019” substitute “the end of the period of 28 days beginning with the day after that on which IP completion day falls”.
- (6) Schedule 2 is amended as follows.
 - (a) in paragraph 3(2), in paragraph A1(b)(i), omit “electricity or”;
 - (b) in paragraph 12, for “exit day” substitute “IP completion day”.
- (7) Schedule 3 is amended as follows.
 - (a) after paragraph 1(1) insert—
 - “(1A) For “Regulation (EC) No 714/2009” substitute “Regulation (EU) 2019/943 of the European Parliament and of the Council of 5 June 2019 on the internal market for electricity (recast)”.
 - (b) omit paragraph 18.