

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers in section 8(1) of the European Union (Withdrawal) Act 2018 (c. 16), in order to address failures of retained EU law to operate effectively and other deficiencies (in particular under section 8(2)(a), (b), (d) and (g) of that Act) arising from the withdrawal of the United Kingdom from the European Union.

They amend provisions of EU Regulations relating to electricity and gas which confer powers on the European Commission to make tertiary legislation supplementing or amending those Regulations, by substituting powers for national authorities to make regulations. In most cases those powers are conferred on the Secretary of State in relation to Great Britain, and on the Secretary of State or the Department for the Economy in relation to Northern Ireland.

Other amendments to the EU Regulations amended by this instrument are also to be made by separate regulations under the European Union (Withdrawal) Act 2018.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.