

Regulation (EC) No 715/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the natural gas transmission networks and repealing Regulation (EC) No 1775/2005 (Text with EEA relevance)

Article 9

Monitoring by the Agency

1 The Agency shall monitor the execution of the tasks referred to in Article 8(1), (2) and (3) of the ENTSO for Gas and report to the Commission.

The Agency shall monitor the implementation by the ENTSO for Gas of network codes elaborated under Article 8(2) and network codes which have been developed in accordance with Article 6(1) to (10) but which have not been adopted by the Commission under Article 6(11). Where the ENTSO for Gas has failed to implement such network codes, the Agency shall request the ENTSO for Gas to provide a duly reasoned explanation as to why it has failed to do so. The Agency shall inform the Commission of that explanation and provide its opinion thereon.

The Agency shall monitor and analyse the implementation of the network codes and the Guidelines adopted by the Commission as laid down in Article 6(11), and their effect on the harmonisation of applicable rules aimed at facilitating market integration as well as on non-discrimination, effective competition and the efficient functioning of the market, and report to the Commission.

2 The ENTSO for Gas shall submit the draft Community-wide network development plan, the draft annual work programme, including the information regarding the consultation process and the other documents referred to in Article 8(3), to the Agency for its opinion.

Within two months from the day of receipt, the Agency shall provide a duly reasoned opinion as well as recommendations to the ENTSO for Gas and to the Commission where it considers that the draft annual work programme or the draft Community-wide network development plan submitted by the ENTSO for Gas do not contribute to non-discrimination, effective competition, the efficient functioning of the market or a sufficient level of cross-border interconnection open to third-party access.

Changes to legislation:

There are outstanding changes not yet made to Regulation (EC) No 715/2009 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Art. 8-12 omitted by [S.I. 2019/530 Sch. 2 para. 4](#)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Signature words omitted by [S.I. 2019/530 Sch. 2 para. 18](#)
- Art. 6(1)(d) words substituted in earlier amending provision S.I. 2018/1286, reg. 10 by [S.I. 2020/1016 reg. 2\(5\)\(a\)](#)
- Art. 6(1)(h) words substituted in earlier amending provision S.I. 2018/1286, reg. 10 by [S.I. 2020/1016 reg. 2\(5\)\(b\)](#)
- Art. 16(2)(c) substituted by [S.I. 2019/530 Sch. 2 para. 7\(2\)](#)
- Art. 28A28B inserted by [S.I. 2018/1286 reg. 14](#)
- Art. 30A30B substituted for Art. 30 by [S.I. 2019/530 Sch. 2 para. 16](#)