

Regulation (EU) 2017/1938 of the European Parliament and of the Council
of 25 October 2017 concerning measures to safeguard the security of gas
supply and repealing Regulation (EU) No 994/2010 (Text with EEA relevance)

Article 14

Information exchange

1 ^{F1}Where one of the crisis levels referred to in Article 11(1) has been declared], the natural gas undertakings concerned shall make available, on a daily basis, in particular the following information to the ^{F2}Secretary of State]:

- a the daily gas demand and gas supply forecasts for the following three days, in million cubic metres per day (mcm/d);
- b the daily flow of gas at all cross-border entry and exit points as well as at all points connecting a production facility, a storage facility or an LNG terminal to the network, in million cubic metres per day (mcm/d);
- c the period, expressed in days, for which it is expected that supply of gas to protected customers can be ensured.

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4 In duly justified circumstances irrespective of a declaration of an emergency, the ^{F4}Secretary of State] may require natural gas undertakings to provide the information referred to in paragraph 1 or additional information necessary to assess the overall situation of the gas supply in ^{F5}the United Kingdom], including contractual information, other than price information. ^{F6}...

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6 In order for the ^{F8}Secretary of State] to assess the security of gas supply situation ^{F9}... each natural gas undertaking shall notify:

- a to the ^{F10}Secretary of State] the following details of gas supply contracts with a cross-border dimension and a duration of more than one year which it has concluded to procure gas:
 - (i) contract duration;
 - (ii) yearly contracted volumes;
 - (iii) contracted maximum daily volumes in the event of an alert or emergency;
 - (iv) contracted delivery points;
 - (v) minimum daily and monthly gas volumes;
 - (vi) conditions for the suspension of gas deliveries.
 - (vii) an indication whether the contract individually or cumulatively with its contracts with the same supplier or its affiliates is equivalent to or exceeds the threshold of 28 % as referred to in point (b) of paragraph 6 in the ^{F11}United Kingdom].

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b to the ^{F12}Secretary of State] immediately after their conclusion or modification its gas supply contracts with a duration of more than one year, concluded or modified on or after 1 November 2017 that individually or cumulatively with its contracts with the same supplier or its affiliates is equivalent to 28 % or more of yearly gas consumption in ^{F13}the United Kingdom] to be calculated on the basis of the most recent available data. In addition, by 2 November 2018 natural gas undertakings ^{F14}must notify the Secretary of State] of all existing contracts fulfilling the same conditions. The notification obligation shall not cover price information and shall not apply to the modifications related only to the gas price. The notification obligation shall also apply to all commercial agreements that are relevant for the execution of the gas supply contract excluding price information.

^{F15}... In the event of new contracts being concluded or changes being made to existing contracts, the whole set of data ^{F16}must be notified to the Secretary of State] by the end of September of the relevant year. ^{F17}...

7 In circumstances duly justified by the need to guarantee transparency of key gas supply contracts relevant to the security of gas supply, and where the ^{F18}Secretary of State] considers that a gas supply contract may jeopardise the security of gas supply of ^{F19}the United Kingdom, the Secretary of State] may request the natural gas undertaking to provide the contract, excluding price information, for the assessment of its impact on the security of gas supply. The request shall be reasoned and may cover also details of any other commercial agreements that are relevant for the execution of the gas supply contract excluding price information. The justification shall include the proportionality of the administrative burden involved.

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^{F21}9 The Secretary of State must take into account the information received under this Article in the preparation of the risk assessment, preventative action plan and emergency plan or their respective updates.]

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12 All contracts or contractual information received on the basis of paragraphs 6 and 7 ^{F23}by the Secretary of State] shall remain confidential. The ^{F24}Secretary of State] shall ensure full confidentiality.

Textual Amendments

- F1** Words in Art. 14(1) substituted (31.12.2020) by The Gas (Security of Supply and Network Codes) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/531), reg. 1(2), **Sch. 1 para. 13(2)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in Art. 14(1) substituted (31.12.2020) by The Gas (Security of Supply and Network Codes) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/531), reg. 1(2), **Sch. 1 para. 13(2)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Art. 14(2)(3) omitted (31.12.2020) by virtue of The Gas (Security of Supply and Network Codes) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/531), reg. 1(2), **Sch. 1 para. 13(3)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in Art. 14(4) substituted (31.12.2020) by The Gas (Security of Supply and Network Codes) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/531), reg. 1(2), **Sch. 1 para. 13(4)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

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- F5** Words in Art. 14(4) substituted (31.12.2020) by The Gas (Security of Supply and Network Codes) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/531), reg. 1(2), **Sch. 1 para. 13(4)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F6** Words in Art. 14(4) omitted (31.12.2020) by virtue of The Gas (Security of Supply and Network Codes) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/531), reg. 1(2), **Sch. 1 para. 13(4)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F7** Art. 14(5) omitted (31.12.2020) by virtue of The Gas (Security of Supply and Network Codes) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/531), reg. 1(2), **Sch. 1 para. 13(5)**; 2020 c. 1, Sch. 5 para. 1(1)
- F8** Words in Art. 14(6) substituted (31.12.2020) by The Gas (Security of Supply and Network Codes) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/531), reg. 1(2), **Sch. 1 para. 13(6)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F9** Words in Art. 14(6) omitted (31.12.2020) by virtue of The Gas (Security of Supply and Network Codes) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/531), reg. 1(2), **Sch. 1 para. 13(6)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F10** Words in Art. 14(6)(a) substituted (31.12.2020) by The Gas (Security of Supply and Network Codes) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/531), reg. 1(2), **Sch. 1 para. 13(6)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F11** Words in Art. 14(6)(a)(vii) substituted (31.12.2020) by The Gas (Security of Supply and Network Codes) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/531), reg. 1(2), **Sch. 1 para. 13(6)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F12** Words in Art. 14(6)(b) substituted (31.12.2020) by The Gas (Security of Supply and Network Codes) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/531), reg. 1(2), **Sch. 1 para. 13(6)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F13** Words in Art. 14(6)(b) substituted (31.12.2020) by The Gas (Security of Supply and Network Codes) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/531), reg. 1(2), **Sch. 1 para. 13(6)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F14** Words in Art. 14(6)(b) substituted (31.12.2020) by The Gas (Security of Supply and Network Codes) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/531), reg. 1(2), **Sch. 1 para. 13(6)(d)**; 2020 c. 1, Sch. 5 para. 1(1)
- F15** Words in Art. 14(6) omitted (31.12.2020) by virtue of The Gas (Security of Supply and Network Codes) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/531), reg. 1(2), **Sch. 1 para. 13(7)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F16** Words in Art. 14(6) substituted (31.12.2020) by The Gas (Security of Supply and Network Codes) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/531), reg. 1(2), **Sch. 1 para. 13(7)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F17** Words in Art. 14(6) omitted (31.12.2020) by virtue of The Gas (Security of Supply and Network Codes) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/531), reg. 1(2), **Sch. 1 para. 13(7)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F18** Words in Art. 14(7) substituted (31.12.2020) by The Gas (Security of Supply and Network Codes) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/531), reg. 1(2), **Sch. 1 para. 13(8)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F19** Words in Art. 14(7) substituted (31.12.2020) by The Gas (Security of Supply and Network Codes) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/531), reg. 1(2), **Sch. 1 para. 13(8)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F20** Art. 14(8) omitted (31.12.2020) by virtue of The Gas (Security of Supply and Network Codes) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/531), reg. 1(2), **Sch. 1 para. 13(9)**; 2020 c. 1, Sch. 5 para. 1(1)
- F21** Art. 14(9) substituted (31.12.2020) by The Gas (Security of Supply and Network Codes) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/531), reg. 1(2), **Sch. 1 para. 13(10)**; 2020 c. 1, Sch. 5 para. 1(1)
- F22** Art. 14(10)(11) omitted (31.12.2020) by virtue of The Gas (Security of Supply and Network Codes) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/531), reg. 1(2), **Sch. 1 para. 13(11)**; 2020 c. 1, Sch. 5 para. 1(1)

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- F23** Words in Art. 14(12) substituted (31.12.2020) by The Gas (Security of Supply and Network Codes) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/531), reg. 1(2), **Sch. 1 para. 13(12)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F24** Words in Art. 14(12) substituted (31.12.2020) by The Gas (Security of Supply and Network Codes) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/531), reg. 1(2), **Sch. 1 para. 13(12)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

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