

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 8

Establishment of preventive action plans and emergency plans

1 The measures to ensure the security of gas supply contained in a preventive action plan and an emergency plan shall be clearly defined, transparent, proportionate, non-discriminatory and verifiable, shall not unduly distort competition [^{F1}in the United Kingdom] or the effective functioning of the [^{F2}gas market in the United Kingdom].

2 [^{F3}The Secretary of State must], after consulting the natural gas undertakings, the relevant organisations representing the interests of household and industrial gas customers, including electricity producers, electricity transmission system operators, and [^{F4}the regulatory authority] establish:

- a a preventive action plan containing the measures needed to remove or mitigate the risks identified, including the effects of energy efficiency and demand-side measures in the ^{F5}... [^{F6}national] risk assessments and in accordance with Article 9;
- b an emergency plan containing the measures to be taken to remove or mitigate the impact of a disruption of gas supply in accordance with Article 10.

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5 The preventive action plan and the emergency plan shall be developed in accordance with the templates contained in Annexes VI and VII. ^{F8}...

[^{F9}5A The Secretary of State may, by regulations, amend the templates set out in Annexes VI and VII in order to reflect the experience gained in the application of this Regulation and to reduce administrative burdens.]

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7 The preventive action plans and the emergency plans shall be made public ^{F11}... by 1 March 2019. ^{F12}...

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11 The confidentiality of commercially sensitive information shall be preserved.

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Changes to legislation: Regulation (EU) 2017/1938 of the European Parliament and of the Council, Article 8 is up to date with all changes known to be in force on or before 24 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

- F1** Words in Art. 8(1) inserted (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. 8(2)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in Art. 8(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. 8(2)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in Art. 8(2) 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. 8(3)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in Art. 8(2) 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. 8(3)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in Art. 8(2)(a) 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. 8(3)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F6** Word in Art. 8(2)(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. 8(3)(b)(ii)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- F7** Art. 8(3)(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. 8(4)**; 2020 c. 1, Sch. 5 para. 1(1)
- F8** Words in Art. 8(5) omitted (31.12.2020) by virtue of The Electricity and Gas (Powers to Make Subordinate Legislation) (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1286), regs. 1(2)(b), **24(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F9** Art. 8(5A) inserted (31.12.2020) by The Electricity and Gas (Powers to Make Subordinate Legislation) (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1286), regs. 1(2)(b), **24(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F10** Art. 8(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. 8(5)**; 2020 c. 1, Sch. 5 para. 1(1)
- F11** Words in Art. 8(7) 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. 8(6)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F12** Words in Art. 8(7) 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. 8(6)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F13** Words in Art. 8(7) 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. 8(6)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F14** Art. 8(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. 8(7)**; 2020 c. 1, Sch. 5 para. 1(1)
- F15** Art. 8(9) 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. 8(7)**; 2020 c. 1, Sch. 5 para. 1(1)
- F16** Art. 8(10) 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. 8(7)**; 2020 c. 1, Sch. 5 para. 1(1)

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F17 Art. 8(12) 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. 8\(8\)](#); 2020 c. 1, Sch. 5 para. 1(1)

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Changes and effects yet to be applied to :

- Art. 8(2) words inserted by [S.I. 2024/706 reg. 45\(b\)](#)