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STATUTORY RULES OF NORTHERN IRELAND

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**2013 No. 208**

**The Electricity and Gas (Market Integrity and Transparency)  
(Enforcement etc.) Regulations (Northern Ireland) 2013**

**PART 3**

**Information and Investigations**

*Power to require information: regulated persons etc*

**Authority's power to require information: regulated persons etc**

**9.—(1)** This regulation applies only to information and documents reasonably required by the Authority in connection with monitoring the integrity and transparency of the wholesale energy market.

(2) The Authority may by notice in writing, require any regulated person—

- (a) to provide specified information or information of a specified description; or
- (b) to produce specified documents or documents of a specified description.

(3) The information or documents must be provided or produced—

- (a) before the end of such reasonable period as may be specified; and
- (b) at such place as may be specified.

(4) The Authority may require any information provided under this regulation to be provided in such form as it may reasonably require.

(5) The Authority may require—

- (a) any information provided, whether in a document or otherwise, to be verified in such manner, or
- (b) any document produced to be authenticated in such manner,

as it may reasonably require.

(6) The powers conferred by paragraph (2) may also be exercised to impose requirements on a person who is connected with a regulated person.

(7) In this regulation, “regulated person” includes a person who was at any time a regulated person but who has ceased to be a regulated person.

(8) In paragraphs (2) and (3) “specified” means specified in the notice.

(9) For the purposes of this regulation, a person is connected with a regulated person (“RP”) if the person is or has at any relevant time been—

- (a) a member of RP’s group;
- (b) a controller of RP;
- (c) any other member of a partnership of which RP is a member; or

- (d) in relation to RP, a person mentioned in Part I of Schedule 15 to the Financial Services and Markets Act 2000<sup>(1)</sup> (the “2000 Act”) (reading references in that Part to the authorised person as references to RP).
- (10) In paragraph (9)—
  - (a) “group” has the same meaning as in section 421 of the 2000 Act<sup>(2)</sup> (reading references in that section to A as references to RP);
  - (b) “controller” has the same meaning as in section 422 of the 2000 Act<sup>(3)</sup> (reading references in that section to B as references to RP).

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<sup>(1)</sup> 2000 c.8.

<sup>(2)</sup> Section 421 was amended by paragraph 212 of Schedule 1 to the Companies Act 2006 (Consequential Amendments etc) Order 2008 (S.I. 2008/948).

<sup>(3)</sup> Section 422 was amended by Schedule 3 to the Financial Services and Markets Act 2000 (Controllers) Regulations 2009 (S.I. 2009/534).