
STATUTORY RULES OF NORTHERN IRELAND

2020 No. 305

**The Gas (Amendment) (EU Exit)
Regulations (Northern Ireland) 2020**

The Gas Order

4.—(1) The Gas Order is amended as provided for in paragraphs (2) and (3).

(2) After Article 27(3C) insert—

“(3D) For the purposes of paragraph (3B)(e), the reference to Article 41(9) is to be read as if, in Article 41(9) of the Directive, the reference to interconnectors were a reference to any transmission line which crosses or spans the border—

(a) between Northern Ireland and Great Britain; or

(b) between Northern Ireland and a country or territory outside the United Kingdom.

(3E) In paragraph (3D) a “transmission line” means any pipe-line which is a high pressure pipe-line for the purposes of Article 36 (see Article 36(8)).”.

(3) For Article 39A(5A) substitute—

“(5A) For the purposes of paragraph (5), Article 36(1) of the Directive is to be read as if in point (e)—

(a) the reference to the internal market in natural gas were a reference to the market in gas in Northern Ireland; and

(b) the reference to security of supply of natural gas in the Union were a reference to security of supply of gas in the United Kingdom.

(5B) Before taking a decision under paragraph (5) the Authority shall, if the pipe-line or facility in question originates or ends outside Northern Ireland, consult the relevant authority of any country or territory in which it originates or ends.

(5C) Where the relevant authority consulted does not respond to the consultation within a deadline set by the Authority not exceeding three months or, in the absence of a specified deadline, within a reasonable time, the Authority may take the decision in question.

(5D) In paragraphs (5B) and (5C) “the relevant authority” means any person exercising functions in relation to gas which correspond to any of those of the Authority or the Department.”.