
DRAFT STATUTORY INSTRUMENTS

2019 No.

**The Electricity and Gas etc. (Amendment
etc.) (EU Exit) Regulations 2019**

PART 4

Amendment of Northern Ireland legislation

The Gas (Northern Ireland) Order 1996

112.—(1) Article 8H (designation for the purposes of EU gas legislation) is amended as set out in paragraphs (2) to (5).

(2) In the heading, for “EU gas legislation” substitute “the Gas Regulation”.

(3) In paragraph (2)—

(a) omit “or third”;

(b) for the words from “Article 10(2)” to the end substitute “the Gas Regulation”.

(4) In paragraph (3), for “that Article” substitute “the Gas Regulation”.

(5) In paragraph (4)—

(a) at the end of sub-paragraph (b) insert “and”;

(b) omit sub-paragraph (d) and the “and” before it.

(6) A person who is designated as a gas transmission system operator under Article 8H of the Gas (Northern Ireland) Order 1996 for the purposes of Article 10(2) of the Gas Directive immediately before exit day is to be treated, on and after exit day, as a person who is designated as a gas transmission system operator under Article 8H for the purposes of the Gas Regulation, if and for so long as the person designated or (as the case may be) the person who nominated the person designated continues on and after exit day to hold a licence under Article 8(1)(a) of the Gas (Northern Ireland) Order 1996 and to be certified under Article 8E of that Order.

(7) In paragraph (6)—

“the Gas Directive” means [Directive 2009/73/EC](#) of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in natural gas and repealing [Directive 2003/55/EC](#);

“the Gas Regulation” means [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](#).