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STATUTORY INSTRUMENTS

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**2019 No. 530**

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

**PART 4**

Amendment of Northern Ireland legislation

- 110.**—(1) Article 8E (certification) is amended as set out in paragraphs (2) to (6).
- (2) In paragraph (1)—
- (a) omit “preliminary”;
  - (b) for “it should” substitute “ to ”.
- (3) In paragraph (3)—
- (a) omit “preliminary”;
  - (b) after sub-paragraph (b) insert “ and ”;
  - (c) omit sub-paragraph (d) and the “and” before it.
- (4) In paragraph (4), for “(a), (b) or (d)” substitute “ (a) or (b) ”.
- (5) Omit paragraphs (5) and (6).
- (6) After paragraph (6) insert—
- “(7) The Authority must publish its decision to certify or refuse to certify the applicant, together with the reasons for it, in such manner as it considers appropriate.”.
- (7) Where, immediately before [<sup>F1</sup>IP completion day], the Northern Ireland Authority for Utility Regulation has made a preliminary decision under Article 8E of the Gas (Northern Ireland) Order 1996 on an application for certification, but not a final decision under Article 3 of Regulation (EC) No. 715/2009 of the European Parliament and of the Council of 13 July 2009 on conditions of access to the natural gas transmission networks and repealing Regulation (EC) No. 1775/2005, the Authority's preliminary decision is to be treated on and after [<sup>F1</sup>IP completion day] as if it were a final decision under Article 3 made immediately before [<sup>F1</sup>IP completion day].
- (8) If a preliminary decision of the Northern Ireland Authority for Utility Regulation is treated as a final decision to certify, or to refuse to certify, an applicant because of paragraph (7), the Authority must publish, in such manner as it considers appropriate, a document setting out that decision and the reasons for it.

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**Textual Amendments**

- F1** Words in reg. 110(7) substituted (15.9.2020) by [The Electricity and Gas etc. \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1016\)](#), regs. 1(2), 3(32)

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**Status:** Point in time view as at 31/12/2020.

**Changes to legislation:** There are currently no known outstanding effects for the The Electricity and Gas etc. (Amendment etc.) (EU Exit) Regulations 2019, Section 110. (See end of Document for details)

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**Commencement Information**

- II** Reg. 110 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(1)

**Status:**

Point in time view as at 31/12/2020.

**Changes to legislation:**

There are currently no known outstanding effects for the The Electricity and Gas etc. (Amendment etc.) (EU Exit) Regulations 2019, Section 110.