

STATUTORY INSTRUMENTS

2019 No. 530

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

PART 2 U.K.

Amendment of primary legislation

U.K.

46.—(1) Section 10D (certification) is amended as set out in paragraphs (2) to (5).

(2) In subsection (1)—

- (a) omit “preliminary”;
- (b) for “it should” substitute “ to ”.

(3) In subsection (4)—

- (a) omit “preliminary”;
- (b) after paragraph (a) insert “ and ”;
- (c) omit paragraph (c) and the “and” before it.

(4) Omit subsections (5) to (8).

(5) After subsection (8) insert—

“(9) The Authority must publish its decision to certify or to refuse to certify the applicant, together with the reasons for it, in such manner as it considers appropriate.”.

(6) Where, immediately before [^{F1}IP completion day], the Gas and Electricity Markets Authority has made a preliminary decision under section 10D of the Electricity Act 1989 on an application for certification, but not a final decision under [^{F2}Article 51 of the Electricity Regulation (or Article 3 of its predecessor)], the Authority's preliminary decision is to be treated on and after [^{F1}IP completion day] as if it were a final decision under [^{F3}Article 51 of the Electricity Regulation] made immediately before [^{F1}IP completion day].

(7) If a preliminary decision of the Gas and Electricity Markets Authority is treated as a final decision to certify, or to refuse to certify, an applicant because of paragraph (6), the Authority must publish, in such manner as it considers appropriate, a document setting out that decision and the reasons for it.

Textual Amendments

F1 Words in reg. 46(6) substituted (15.9.2020) by [The Electricity and Gas etc. \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1016\)](#), regs. 1(2), **3(17)(c)**

F2 Words in reg. 46(6) substituted (15.9.2020) by [The Electricity and Gas etc. \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1016\)](#), regs. 1(2), **3(17)(a)**

Changes to legislation: There are currently no known outstanding effects for the The Electricity and Gas etc. (Amendment etc.) (EU Exit) Regulations 2019, Section 46. (See end of Document for details)

F3 Words in reg. 46(6) substituted (15.9.2020) by [The Electricity and Gas etc. \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1016\)](#), regs. 1(2), **3(17)(b)**

Commencement Information

I1 Reg. 46 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Electricity and Gas etc. (Amendment etc.) (EU Exit) Regulations 2019, Section 46.