



STATUTORY INSTRUMENTS

S.I. No. 691 of 2007

EUROPEAN COMMUNITIES (CONDITIONS FOR ACCESS TO THE
NATURAL GAS TRANSMISSION NETWORKS) REGULATIONS 2007

(Prn. A7/1797)

EUROPEAN COMMUNITIES (CONDITIONS FOR ACCESS TO THE NATURAL GAS TRANSMISSION NETWORKS) REGULATIONS 2007

I, EAMON RYAN, Minister for Communications, Marine and Natural Resources, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972), and for the purpose of giving full effect to Regulation (EC) No. 1775/2005 of the European Parliament and of the Council of 28 September 2005¹, hereby make the following regulations:

1. These Regulations may be cited as the European Communities (Conditions for Access to the Natural Gas Transmission Networks) Regulations 2007.

2. In these Regulations—

“Act of 1999” means the Electricity Regulation Act 1999 (No. 23 of 1999);

“Act of 2002” means the Gas (Interim) (Regulation) Act 2002 (No. 10 of 2002);

“Commission” means the Commission for Energy Regulation;

“European Regulation” means Regulation (EC) No. 1775/2005 of the European Parliament and of the Council of 28 September 2005 on conditions for access to the natural gas transmission networks¹, and

“gas transmission licence” means a licence to undertake the operation of a transmission system relating to natural gas issued by the Commission in accordance with section 16 of the Act of 2002.

3. (1) The Commission shall cause every gas transmission licence to contain such terms and conditions as it considers necessary for the purpose of ensuring that every holder of such a licence complies with the provisions of the European Regulation which relate to the provision of access to the transmission system.

(2) Sections 19 to 22 and sections 29 to 31 of the Act of 1999 shall not apply in relation to any modifications made in accordance with paragraph (1) of this Regulation.

4. In addition to any measures taken pursuant to Regulation 3, the Commission shall take such other measures as it considers necessary to ensure that the provisions of the European Regulation are complied with by the holder of a gas transmission licence.

5. Section 16 (14) (b) of the Act of 2002 is amended—

¹O.J. No. L289, 3.11.2005, p.1

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 12th October, 2007.

- (a) in subparagraph (ii) by the substitution of “such contravention,” for “such contravention, or”,
- (b) in subparagraph (iii) by the substitution of “the Gas (Amendment) Act 1987, or” for “the Gas (Amendment) Act, 1987.”, and
- (c) by the insertion after subparagraph (iii) of the following subparagraph:

“(iv) in the case of the holder of a licence granted under subsection (1) to operate a transmission system that the action is necessary to ensure compliance by such licence holder with Regulation (EC) No. 1775/2005 of the European Parliament and of the Council of 28 September 2005 on conditions for access to the natural gas transmission networks¹.”.



GIVEN under my Official Seal,
8 October 2007

EAMON RYAN.
Minister for Communications, Marine and Natural Resources.

EXPLANATORY NOTE

(This note is not a part of the Instrument and does not purport to be a legal interpretation)

These Regulations give full legal effect to Regulation (EC) No. 1775/2005 of the European Parliament and of the Council of 28 September 2005 on conditions for access to the natural gas transmission networks by providing that the Commission for Energy Regulation shall impose such terms and conditions as it considers necessary on every gas transmission licence, and shall take such other measures as it considers necessary, for the purpose of ensuring that every holder of such a licence complies with the provisions of Regulation (EC) No. 1775/2005.

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