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STATUTORY INSTRUMENTS

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**2015 No. 862**

**The Electricity and Gas (Market Integrity and Transparency)  
(Enforcement etc.) (Amendment) Regulations 2015**

**PART 2**

**Amendments to the Utilities Act 2000**

3. The Utilities Act 2000(1) is amended as follows.

**Annual and other reports of Authority**

4. In section 5(2)—
- (a) at the end of paragraph (c) omit “and”;
  - (b) after paragraph (c) insert—
    - “(ca) a summary of final notices given by the Authority under the Electricity and Gas (Market Integrity and Transparency) (Enforcement etc.) Regulations 2013; and”.

**General restrictions on disclosure of information**

5. In section 105(2)—
- (a) in subsection (3)(a), after “Energy Act 2013” insert “, the REMIT Regulations”;
  - (b) in subsection (4), after paragraph (g) (but before the “or” immediately following it) insert—
    - “(ga) in connection with the investigation of any failure to comply with a REMIT requirement or for the purposes of any proceedings brought under or by virtue of REMIT;”;
  - (c) in subsection (5), for paragraphs (f) and (g) substitute the following paragraph—
    - “(f) the Northern Ireland Authority for Utility Regulation;”;
  - (d) in subsection (6), after paragraph (x) insert the following paragraph—
    - “(y) the Electricity and Gas (Market Integrity and Transparency) (Enforcement etc.) Regulations (Northern Ireland) 2013(3).”;
  - (e) after subsection (6) insert the following subsection—
    - “(6A) If the Authority is making a decision whether to disclose information to another national regulatory authority under subsection (4)(ga), the Authority must have regard in

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(1) 2000 c. 27.

(2) Section 105 was amended by section 52(b) of the Energy Act 2013 (c. 32) and section 76(4) of, and paragraph 11 of Schedule 9 to, the Civil Aviation Act 2012 (c. 19). Other amendments have been made that are not relevant for these purposes.

(3) S.R. (NI) 2013 No 208.

particular to whether there are arrangements in place for the provision of mutual assistance in relation to the disclosure of information.”;

(f) in subsection (10)—

(i) after the definition of “licence holder” insert—

““national regulatory authority” has the same meaning as in REMIT;”;

(ii) after the definition of “relevant activities” insert the following definitions—

““REMIT” means Regulation (EU) No 1227/2011 of the European Parliament and of the Council of 25 October 2011 on wholesale energy market integrity and transparency<sup>(4)</sup>;

“the REMIT Regulations” means the Electricity and Gas (Market Integrity and Transparency) (Enforcement etc.) Regulations 2013<sup>(5)</sup>;

“REMIT requirement” has the same meaning as in the REMIT Regulations.”.

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(4) OJ No L326, 08.12.2011, p1.

(5) S.I. 2013/1389, as amended by S.I. 2015/783.