



STATUTORY INSTRUMENTS.

S.I. No. 619 of 2022

EUROPEAN UNION (INTERNAL MARKET IN ELECTRICITY) (NO. 5)
REGULATIONS 2022

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I, EAMON RYAN, Minister for the Environment, Climate and Communications, 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 further effect to Article 43 of Directive (EU) 2019/944¹ of the European Parliament and of the Council of 5 June 2019 on common rules for the internal market for electricity and amending Directive 2012/27/EU, hereby make the following regulations:

1. These Regulations may be cited as the European Union (Internal Market in Electricity) (No. 5) Regulations 2022.
2. In these Regulations, “Principal Regulations” means the European Communities (Internal Market in Electricity) Regulations 2000 (S.I. No. 445 of 2000).
3. The Principal Regulations are amended –
 - (a) in Regulation 8 –
 - (i) in paragraph (1) –
 - (I) in subparagraph (r), by the substitution of “authorities;” for “authorities.”, and
 - (II) by the insertion of the following subparagraph after subparagraph (r):
“(s) in respect of the transmission assets that it is licenced to own under section 14(1)(e) of the Act of 1999 –
 - (i) to maintain the transmission assets, and
 - (ii) to carry out construction and any other works referred to in the development plan in accordance with that plan.”, and
 - (ii) in paragraph (2) –
 - (I) in subparagraph (b), by the insertion of “52, 53, 54, 55,” after “51,”, and
 - (II) by the substitution of “each of the Board and the Transmission System Operator, to the extent applicable” for “both the Board and the Transmission System Operator”,

¹ OJ L 158, 14.6.2019, p 125

- (b) in Regulation 18 –
 - (i) in paragraph (3)(a), by the insertion of “owned by it” after “transmission system”,
 - (ii) in paragraph (4), in subparagraph (d) –
 - (I) in clause (i), by the substitution of –
 - (A) “owned by the Board” for “owner”, and
 - (B) “form part of” for “constitute”, and
 - (II) in clauses (ii) and (iii), by the insertion of “owned by the Board” after “transmission system”, and
 - (iii) in paragraph (6), by the substitution of “the Board in its capacity as transmission system owner” for “the transmission system owner”,
- (c) in Regulation 19(a), by the insertion of “owned by the Board” after the first instance of “transmission system”, and
- (d) in Regulation 25(1) –
 - (i) in paragraph (a), by the insertion of “owned by the Board” after the first instance of “transmission system”,
 - (ii) in paragraph (b), by the deletion of “and”,
 - (iii) by the insertion of the following paragraphs after paragraph (c):
 - “(d) any duty, obligation or requirement of the Board in relation to ownership of the transmission system shall be treated as a duty, obligation or requirement of the transmission system operator, licenced under section 14(1)(e) of the Act of 1999, insofar as it relates to the transmission system owned by the transmission system operator, and
- (e) any reference to the transmission system of the Board shall, with the necessary modification, be construed as a reference to the transmission system of the transmission system operator.”.

GIVEN under my Official Seal,
3 December, 2022.

EAMON RYAN,
Minister for the Environment,
Climate and Communications.

L.S.

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