

DCRP/21/07/PC - Legal Text Modification Tables

Modifications to The Distribution Code and Associated Documents Following the Exit from the EU by the UK

The proposed modifications in these tables relate to legal text in the current published version of the documents; they are not expected to conflict with any other proposed modifications that are underway. The intention is that these proposed modifications would be made to the approved version of each document applicable at the agreed implementation date.

1. Distribution Code Modification Table

Deletions are shown in strike through and new text is shown in red text.

Proposed modifications to the Distribution Code Issue 47 – 1 September 2021.

Code condition	Current wording	Proposed change	Explanatory note
GUIDANCE NOTE 2 ENGINEERING RECOMMEND- ATIONS G83 AND G59	The guidance note only applies to small scale generation first connected before 27 April 2019. When the requirements of the EU Network Code “Requirements for all generators” comes into effect on 27 April 2019 it will be necessary for all small scale generation connected on or after that date to comply with the requirements of EREC G98 or EREC G99 as appropriate.	The guidance note only applies to small scale generation first connected before 27 April 2019. When the requirements of the EU Network Code “Requirements for all generators” comes into effect on From 27 April 2019 it will be necessary for all small scale generation connected on or after that date to comply with the requirements of EREC G98 or EREC G99 as appropriate.	Commission Regulation (EU) 2016/631, which constitutes the EU Network Code “Requirements for all generators” (RfG) is confirmed as Retained EU Law by section 5 of the Electricity Network Codes and Guidelines (System Operation and Connection) (Amendment etc.) (EU Exit) (No.2) Regulations 2019. However, as the 27 April 2019 date has passed and EREC G98 and EREC G99 have both been amended to address the relevant requirements of the (RfG) it is proposed that reference to the RfG be deleted.
GUIDANCE NOTE 3 ENGINEERING RECOMMEND- ATIONS G83 Paragraph 3	In the longer term the Panel expects that either the requirements of the EU Network Code “Requirements for all Generators” when enacted in UK law will require Stirling engine designs to be modified to comply, or to seek a specific derogation. Similarly if the growth of this technology showed a risk of being material, then again full compliance with G83 would be required. The Panel believes that a sensible threshold of materiality, considering the technical and commercial effects of the technology, to be 50MW.	In the longer term the Panel expects that either the requirements of the EU Network Code “Requirements for all Generators” when enacted in UK law will require Stirling engine designs to be modified to will comply with EREC G83 , or to seek a specific derogation. Similarly if the growth of this technology showed a risk of being material, then again full compliance with G83 would be required. The Panel believes that a sensible threshold of materiality, considering the technical and commercial effects of the	See explanatory note above for GUIDANCE NOTE 2. The proposed deletion of text is proposed given EREC G83 has been updated to reflect the the relevant requirements of the RfG.

		technology, to be 50MW.	
GUIDANCE NOTE 3 ENGINEERING RECOMMENDATIONS G83 Paragraph 4	This DCRP Guidance Note has now been extended and it is now expected that the “Stirling Engine” as an emerging technology must comply from 27 April 2019 with the requirements laid down in Articles 66-70 of the EU Network Code Requirements for all Generators. See EREC G98 and EREC G99 for details.	This DCRP Guidance Note has now been extended and it is now expected that the “Stirling Engine” as an emerging technology must comply from 27 April 2019 with the requirements laid down in-Articles 66-70 of Retained EU Law (Commission Regulation (EU) 2016/631) (Network Code on the Requirements for Connection of Generators). See EREC G98 and EREC G99 for details.	See explanatory note above for GUIDANCE NOTE 2. The proposed text reflects that the technical requirements in EREC G98 and EREC G99 will not change given the EU Network Code Requirements for Connection of Generators is Retained EU Law after IP Completion Day .
New DGD Definition IP Completion Day:	None	31 December 2020 as defined in Section 39 of the European Union (Withdrawal Agreement) Act 2020.	New definition added in line with legal text changes to definition in the Grid Code (GC0149).
New DGD Definition Legally Binding Decisions of the European Commission and/or the Agency:	None	Any relevant legally binding decision or decisions of the European Commission and/or the Agency, but a binding decision does not include a decision that is not, or so much of a decision as is not, Retained EU Law .	New definition added in line with legal text changes to definition in the Grid Code (GC0149).
New DGD Definition Retained EU Law: As defined in European Union (Withdrawal) Act 2018 as amended by the European Union	None	As defined in European Union (Withdrawal) Act 2018 as amended by the European Union (Withdrawal Agreement) Act 2020.	New definition added in line with legal text changes to the definition Grid Code (GC0149).

(Withdrawal Agreement) Act 2020:			
DGD Definition Manufacturers Information	Information in suitable form provided by a manufacturer in order to demonstrate compliance with one or more of the requirements of the Distribution Code . Where equipment certificate(s) as defined in EU 2016/631, or 2016/1388 cover all or part of the relevant compliance points, the equipment certificate(s) demonstrate compliance without need for further evidence for those aspects within the scope of the equipment certificate	Information in suitable form provided by a manufacturer in order to demonstrate compliance with one or more of the requirements of the Distribution Code . Where equipment certificate(s) as defined in Retained EU Law (Commission Regulation (EU) 2016/631 (Network Code on the Requirements for Connection of Generators)), or (Commission Regulation (EU) 2016/1388 (Network Code on Demand Connection)) cover all or part of the relevant compliance points, the equipment certificate(s) demonstrate compliance without need for further evidence for those aspects within the scope of the equipment certificate	Reference to Retained EU law added.
DIN2.1 (b)(iii)	Efficiently discharge the obligations imposed upon DNOs by the Distribution Licence and comply with the Regulation (where Regulation has the meaning defined in the Distribution Licence) and any relevant legally binding decision of the European Commission and/or Agency for the Co-operation of Energy Regulators.	Efficiently discharge the obligations imposed upon DNOs by the Distribution Licence and comply with the Regulation (where Regulation has the meaning defined in the Distribution Licence) and any relevant Legally Binding Decisions of the European Commission and/or the Agency for the Co-operation of Energy Regulators .	The amended text aligns with the new definition for 'Legally Binding Decisions...' and ensures there is a requirement to still comply with legally binding decisions under the Regulation so far as it is UK law. This aligns with the modification of the Distribution Licence effective from 8 April 2021, where only legally binding decisions of the European Commission

			and/or Agency for the Co-operation of Energy Regulators that are Retained EU Law are applicable. This is to cater for any legally binding decisions made prior to IP completion day by the European Commission and/or Agency for the Co-operation of Energy Regulators.
DCPC7.1.5	27 April 2019 is the date from which new or substantially modified Power Generating Modules must comply with the European Network Code on Requirements for Connection of Generators. Compliance with Engineering Recommendations G98 and G99 will ensure compliance with this European Network Code.	27 April 2019 is the date from which new or substantially modified Power Generating Modules must comply with the European Retained EU Law (Commission Regulation (EU) 2016/631 (the European Network Code on Requirements for Connection of Generators)) . Compliance with Engineering Recommendations G98 and G99 will ensure compliance with this European Network Code.	
DOC2.2 (c)	To provide guidance for High Voltage Customer on how to comply with their obligations under Article 7 of the European Transparency Regulations (The European Commission Regulation No 543/2013) to provide information to NGESO in their role as Transmission System Operator.	Delete Current Wording.	Article 7 of the European Transparency Regulations (information relating to the unavailability of consumption units) has been amended by virtue of Schedule 3 of The Electricity and Gas (Market Integrity and Transparency) (Amendment) (EU Exit) Regulations 2019, which clarifies what is Retained EU Law in relation to EC Regulation No.

			543/2013. The clause has been deleted as this information is required by NGESO from DNOs for other reasons regardless of whether EC Regulation No. 543/2013 is Retained EU Law.
DOC5.6.2.2	The test referred to in DOC5.6.2.1 on any one or more of the Power Generating Modules comprising part of the relevant Embedded Medium Power Station should only be to demonstrate that: (a) the relevant Power Generating Module meets the requirements of the paragraphs in the Grid Code Connection Conditions or European Connection Conditions (as applicable) which are applicable to such Power Generating Modules or Power Station ; or b) the relevant Power Generating Module meets the requirements for operation in limited frequency sensitive mode as describe in the Grid Code in accordance with CC.6.3.3 (or ECC6.3.3), BC3.5.2 and BC3.7.2,	The test referred to in DOC5.6.2.1 on any one or more of the Power Generating Modules Embedded Medium Power Station should only be to demonstrate that: (a) the relevant Power Generating Module meets the requirements of the paragraphs in the Grid Code Connection Conditions or the Grid Code European Connection Conditions (as applicable) which are applicable to such Power Generating Modules or Power Station ; or b) the relevant Power Generating Module meets the requirements for operation in limited frequency sensitive mode as describe in the Grid Code in accordance with CC.6.3.3 (or ECC6.3.3), BC3.5.2 and BC3.7.2,	Supplemental text to make clear the European Connection Conditions are those defined in the Grid Code.
DGD 2 (x)	None	Except where expressly stated to the contrary, reference to Commission Regulations means the Commission Regulation (EU) as it forms part of Retained EU Law, as such regulation may be amended.	Text to explain how references to Commission Regulations are to be used within the Distribution Code.

DGC12.5	The DNO is not obliged to act on such a request from a Customer or a Generator where there is no technical reason preventing the Customer from complying with the Distribution Code , unless the derogation relates to non-compliance with a requirement arising from retained from an EU Network Code.	The DNO is not obliged to act on such a request from a Customer or a Generator where there is no technical reason preventing the Customer from complying with the Distribution Code , unless the derogation relates to non-compliance with a requirement arising from retained from an EU Network Code which is Retained EU Law .	Text added to clarify that this relates to a derogation against an EU Network Code which is Retained EU Law .
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2. Distribution Code Review Panel – Rules and Constitution Modification Table

Deletions are shown in strike through and new text is shown in red text.

Proposed modifications to The Constitution And Rules Of The Distribution Code Review Panel Of Great Britain Version 8 – April 2019.

Clause	Current wording	Proposed change	Explanatory note
2. Definitions and Interpretations	None	Legally Binding Decisions of the European Commission and/or the Agency – means any relevant legally binding decision or decisions of the European Commission and/or the Agency for the Co-operation of Energy Regulators, but a binding decision does not include a decision that is not, or so much of a decision as is not Retained EU Law .	New definition to align with the new equivalent term/definition in the Distribution Code.
2. Definitions and Interpretations	None	Retained EU Law – means as defined in European Union (Withdrawal) Act 2018 as amended by the European Union (Withdrawal Agreement) Act 2020.	New definition to align with the new equivalent term/definition in the Distribution Code.
21(b)	If the Panel has been notified by the Authority that the Authority reasonably considers it necessary to comply with or implement the Regulation and/or any relevant legally binding decision of the European Commission and/or Agency for the Co-operation of Energy Regulators, the Panel shall proceed with its periodic review in accordance with any timetable(s) directed by	If the Panel has been notified by the Authority that the Authority reasonably considers it necessary to comply with or implement the Regulation and/or any relevant Legally Binding Decisions of the European Commission and/or the Agency for the Co-operation of Energy Regulators , the Panel shall proceed with its periodic review in accordance with any	Aligned with the new definition of “ Legally Binding Decisions of the European Commission and/or the Agency ” for the Co-operation of Energy Regulators’ to ensure there is a requirement to still comply with legally binding decisions under the Regulation so far as it is UK law Retained EU Law . This aligns with the modification of the Electricity Distribution Licence, where only

Clause	Current wording	Proposed change	Explanatory note
	the Authority in relation to the progress of the review and/or the implementation of the relevant modification to the Distribution Code .	timetable(s) directed by the Authority in relation to the progress of the review and/or the implementation of the relevant modification to the Distribution Code . No change.	Legally Binding Decisions of the European Commission and/or the Agency for the Co-operation of Energy Regulators that are Retained EU Law are applicable after IP completion day.
Standard Procedure 1 Clause 4.1 iii	The Panel shall determine whether the proposal should be pursued, the relevance to other Network Code Review Panels (NCRPs), timescales for development, the extent of public consultation (including any initial consultation prior to development work), and whether a Standards Working Group is required. If the Panel has been notified by the Authority that the Authority reasonably considers it necessary to comply with or implement the Regulation and/or any relevant legally binding decision of the European Commission and/or Agency for the Co-operation of Energy Regulators, the Panel shall proceed with a modification proposal in accordance with any timetable directed by the Authority in relation to the progress of the review and/or the implementation of the relevant modification to the Distribution Code .	The Panel shall determine whether the proposal should be pursued, the relevance to other Network Code Review Panels (NCRPs), timescales for development, the extent of public consultation (including any initial consultation prior to development work), and whether a Standards Working Group is required. If the Panel has been notified by the Authority that the Authority reasonably considers it necessary to comply with or implement the Regulation and/or any relevant Legally Binding Decisions of the European Commission and/or the Agency for the Co-operation of Energy Regulators , the Panel shall proceed with a modification proposal in accordance with any timetable directed by the Authority in relation to the progress of the review and/or the implementation of the relevant modification to the Distribution Code .	Aligned with the new definition of ' Legally Binding Decisions of the European Commission and/or the Agency ' to ensure there is a requirement to still comply with legally binding decisions under the Regulation so far as it is Retained EU Law . This aligns with the modification of the Electricity Distribution Licence, where only Legally Binding Decisions of the European Commission and/or the Agency are Retained EU Law are applicable after IP Completion Day . The new definition of ' Legally Binding Decision of the European Commission and/or the Agency ' ensures there is a requirement to still comply with legally binding decisions under the Regulation so far as it is UK law. This aligns with the modification of the Electricity Distribution Licence, where only legally binding decisions of the European Commission

Clause	Current wording	Proposed change	Explanatory note
			and/or Agency for the Co-operation of Energy Regulators that are Retained EU Law are applicable after IP Completion Day .

3. ENA EREC G83 Modification Table

Deletions are shown in strike through and new text is shown in red text.

Proposed modifications to ENA Engineering Recommendation G83 Issue 2 Amendment 3 June 2019.

Clause	Current wording	Proposed change	Explanatory note
1 Foreword, para 10	In addition to the requirements specified in this document which allows connection to the GB electricity Distribution System, the SSEG and all of its components shall comply with all relevant legal requirements including European Directives and CE marking.	In addition to the requirements specified in this document which allows connection to the GB electricity Distribution System, the SSEG and all of its components shall comply with all relevant legal requirements including European Directives and CE marking or UK Conformity Assessed (UKCA) marking as required by UK law.	The broad reference to compliance with ‘European Directives and CE Marking’, needs to be qualified with the supplemental text so only Retained EU Law is applied after IP completion day. This reflects the currently proposed legal framework where products that have undergone the complete process of manufacturing and conformity assessment (i.e. which are ready for placing on the market) can still be placed on the UK market with a CE Marking after IP completion day. This proposed change requires SSEG supplied before IP completion day to have CE marking and those supplied after IP completion day to have CE marking or UK Conformity Assessed (UKCA) marking, so long as this is a requirement in UK law.
4 Terms and definitions	New definition	Retained EU Law has the same meaning as defined in European Union (Withdrawal) Act 2018 as amended by the European Union (Withdrawal Agreement) Act 2020.	Definition of Retained EU Law is needed to identify those EU Directives and Regulations, and parts of, that are still applicable after IP completion day. This includes any modifications to UK legislation made under the Section 8 of the Act,

Clause	Current wording	Proposed change	Explanatory note
			as amended, to address inoperability including but not limited to The Electricity and Gas etc. (Amendment) (EU Exit) Regulations 2020.
5.4 Quality of Supply	The connection of the SSEG in parallel with a DNO's Distribution System shall not impair the quality of supply provided by the DNO to the User or any other Customer . In this respect the SSEG shall comply with the requirements of the EMC Directive and in particular the product family emission standards listed in Table 2.	The connection of the SSEG in parallel with a DNO's Distribution System shall not impair the quality of supply provided by the DNO to the User or any other Customer . In this respect the SSEG shall comply with the requirements of the Electromagnetic Compatibility Regulations 2016 EMC Directive and Retained EU Law (Commission Regulation (EU) 2016/631 (Network Code on the Requirements for Connection of Generators)) and in particular the product family emission standards listed in Table 2.	The broad reference to compliance with the EMC Directive needs to be qualified with the supplemental text so only Retained EU Law is applied after IP completion day.
5.9.2 Compliance	The SSEG shall comply with all relevant European Directives and should be labelled with a CE marking.	The SSEG shall comply with all relevant European Directives Retained EU Law (Commission Regulation (EU) 2016/631 (Network Code on the Requirements for Connection of Generators)), and should be labelled with a CE marking or UK Conformity Assessed (UKCA) marking as required by UK law.	Same as explanatory note for ENA EREC G83 Clause 1 Foreword, para 10.
A1.2 CE Marking and Certification	The type verification procedure requires that the SSEG interface be certified to the relevant requirements of the	The type verification procedure requires that the SSEG interface be certified to the relevant requirements of the	Same as explanatory note for ENA EREC G83 Clause 1 Foreword, para 10.

Clause	Current wording	Proposed change	Explanatory note
	applicable Directives before the unit can be labelled with a CE mark. Where the protection control is to be provided as a separate device, this must also be Type Tested and certified to the relevant requirements of the applicable Directives before it can be labelled with a CE mark.	applicable Directives before the unit can be labelled with a CE marking or UK Conformity Assessed (UKCA) marking as required by UK law. Where the protection control is to be provided as a separate device, this must also be Type Tested and certified to the relevant requirements of the applicable Directives before it can be labelled with a CE marking or UK Conformity Assessed (UKCA) marking as required by UK law.	
B1.2 CE Marking and Certification	The type verification procedure requires that the SSEG interface be certified to the relevant requirements of the applicable Directives before the unit can be labelled with a CE mark. Where the protection control is to be provided as a separate device, this must also be Type Tested and certified to the relevant requirements of the applicable Directives before it can be labelled with a CE mark.	The type verification procedure requires that the SSEG interface be certified to the relevant requirements of the applicable Directives , including Retained EU Law (Commission Regulation (EU) 2016/631 (Network Code on the Requirements for Connection of Generators), Commission Regulation (EU) 2019/943 (Internal Market for Electricity)), before the unit can be labelled with a CE marking or UK Conformity Assessed (UKCA) marking as required by UK law. Where the protection control is to be provided as a separate device, this must also be Type Tested and certified to the relevant requirements of the applicable Directives before it can be labelled	Same as explanatory note for ENA EREC G83 Clause 1 Foreword, para 10.

Clause	Current wording	Proposed change	Explanatory note
		with a CE marking or UK Conformity Assessed (UKCA) marking as required by UK law.	

4. ENA EREC G98 Modification Table

Deletions are shown in strike through and new text is shown in red text.

Proposed modifications to ENA Engineering Recommendation G98 Issue 1 Amendment 6 September 2021.

Clause	Current wording	Proposed change	Explanatory note
Foreword, para 3	This document has been prepared and approved under the authority of the Great Britain Distribution Code Review Panel . This EREC G98 has been written to take account of the EU Network Code on Requirements for Grid Connection of Generators 14 April 2016.	This document has been prepared and approved under the authority of the Great Britain Distribution Code Review Panel . This EREC G98 has been was initially written to take account of the EU Network Code on Requirements for Grid Connection of Generators 14 April 2016. Subsequently, EREC G98 has been amended to clarify references to Commission Regulation (EU) 2016/631, Establishing a network code on Requirements for Grid Connection of Generators, apply only so far as they are Retained EU Law. Notwithstanding, the requirements in EREC G98 have not been modified.	The requirements in EREC G98 were initially written to take into account the application of Commission Regulation (EU) No 2016/631, Establishing a network code on Requirements for Grid Connection of Generators. The intent is that the technical requirements in EREC G98 will still apply, except where those requirements, or part of them, are not Retained EU Law . The various Statutory Instruments prepared under the European Union (Withdrawal) Act 2018, as amended by the European Union (Withdrawal Agreement) Act 2020 make clear what constitutes Retained EU Law . Section 5 of the Electricity Network Codes and Guidelines (System Operation and Connection) (Amendment etc.) (EU Exit) (No.2) Regulations 2019) confirm Commission Regulation (EU) No 2016/631 is Retained EU Law .
3.1 References	COMMISSION REGULATION (EU) No 2016/631	COMMISSION REGULATION (EU) No 2016/631	Deleted as reference to the specific Commission Regulation is added wherever the term

Clause	Current wording	Proposed change	Explanatory note
	Establishing a network code on Requirements for Grid Connection of Generators.	Establishing a network code on Requirements for Grid Connection of Generators.	Retained EU Law is used. NOTE: EU 2016/631 is confirmed as Retained EU Law by section 5 of the Electricity Network Codes and Guidelines (System Operation and Connection) (Amendment etc.) (EU Exit) (No.2) Regulations 2019.
3.1 References	Directive 2009/72/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL Concerning common rules for the internal market in electricity and repealing Directive 2003/54/EC.	Directive 2009/72/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL Concerning common rules for the internal market in electricity and repealing Directive 2003/54/EC.	Deleted as reference to the specific Commission Regulation is added wherever the term Retained EU Law is used. NOTE: This proposed change aligns with the modification to the Directive in Standard Licence Condition 1.3 of the Distribution Licence and will ensure that the references to the Directive are to be interpreted on the basis of the Directive as it has effect immediately before IP Completion Day as read with the modifications inserted into section 5B of the Electricity Act 1989 by regulation 39 of the Electricity and Gas etc. (Amendment etc.) (EU Exit) Regulations 2019.
3.1 References	Regulation (EC) No 714/2009 of the European Parliament and of the Council on conditions for access to the network for cross-border exchanges in electricity and repealing	Regulation (EC) No 714/2009 of the European Parliament and of the Council on conditions for access to the network for cross-border exchanges in electricity and repealing	Deleted as reference to the specific Commission Regulation is added wherever the term Retained EU Law is used. After IP Completion Day , the requirements in Regulation (EC) No

Clause	Current wording	Proposed change	Explanatory note
	Regulation (EC) No 1228/2003.	Regulation (EC) No 1228/2003.	714/2009 apply as set out in The Electricity and Gas etc. (Amendment) (EU Exit) Regulations 2020 and The Electricity and Gas (Market Integrity and Transparency) (Amendment) (EU Exit) Regulations 2019..
3.1 References	Regulation (EC) No 765/2008 of the European Parliament and of the Council Setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93.	Regulation (EC) No 765/2008 of the European Parliament and of the Council Setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93. .	Deleted as reference to the specific Commission Regulation is added wherever the term Retained EU Law is used. NOTE: The reference to Regulation (EC) No 765/2008, needs to be qualified so that only Retained EU Law is applied after IP Completion Day . This reflects the currently proposed legal framework where certain requirements for accreditation and market surveillance of products in this Regulation will apply as modified by UK law.
4 Terms and definitions	New definition	Retained EU Law As defined in European Union (Withdrawal) Act 2018 as amended by the European Union (Withdrawal Agreement) Act 2020.	Definition of Retained EU Law , as proposed for EREC G83, is needed to identify those EU Directives and Regulations, and parts of, that are still applicable after IP Completion Day . This includes any modifications to UK legislation made under the Section 8 of the Act to address inoperabilities including but not limited to The Electricity and Gas etc. (Amendment)

Clause	Current wording	Proposed change	Explanatory note
			(EU Exit) Regulations 2020.

5. ENA EREC G99 Modification Table

Deletions are shown in strike through and new text is shown in red text.

Proposed modifications to ENA Engineering Recommendation G99 Issue 1 Amendment 8 September 2021.

Clause	Current wording	Proposed change	Explanatory note
3.2 References	COMMISSION REGULATION (EU) No 2016/631 Establishing a network code on Requirements for Grid Connection of Generators.	COMMISSION REGULATION (EU) No 2016/631 Establishing a network code on Requirements for Grid Connection of Generators.	Deleted as reference to the specific Commission Regulation is added wherever the term Retained EU Law is used. NOTE: EU 2016/631 is confirmed as Retained EU Law by section 5 of the Electricity Network Codes and Guidelines (System Operation and Connection) (Amendment etc.) (EU Exit) (No.2) Regulations 2019.
3.2 References	Directive 2009/72/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL Concerning common rules for the internal market in electricity and repealing Directive 2003/54/EC.	Directive 2009/72/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL Concerning common rules for the internal market in electricity and repealing Directive 2003/54/EC.	Deleted as reference to the specific Commission Regulation is added wherever the term Retained EU Law is used. NOTE: This proposed change aligns with the modification to the Directive in Standard Licence Condition 1.3 of the Distribution Licence and will ensure that the references to the Directive are to be interpreted on the basis of the Directive as it has effect immediately before IP Completion Day as read with the modifications inserted into section 5B of the Electricity Act 1989 by regulation 39 of the Electricity and Gas etc.

Clause	Current wording	Proposed change	Explanatory note
			(Amendment etc.) (EU Exit) Regulations 2019.
3.2 References	Regulation (EC) No 714/2009 of the European Parliament and of the Council on conditions for access to the network for cross-border exchanges in electricity and repealing Regulation (EC) No 1228/2003.	Regulation (EC) No 714/2009 of the European Parliament and of the Council on conditions for access to the network for cross-border exchanges in electricity and repealing Regulation (EC) No 1228/2003.	Deleted as reference to the specific Commission Regulation is added wherever the term Retained EU Law is used. NOTE: After IP Completion Day , the requirements in Regulation (EC) No 714/2009 apply as set out in The Electricity and Gas etc. (Amendment) (EU Exit) Regulations 2020 and The Electricity and Gas (Market Integrity and Transparency) (Amendment) (EU Exit) Regulations 2019.
3.2 References	Regulation (EC) No 765/2008 of the European Parliament and of the Council Setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93.	Regulation (EC) No 765/2008 of the European Parliament and of the Council Setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93.	Deleted as reference to the specific Commission Regulation is added wherever the term Retained EU Law is used. NOTE: The reference to Regulation (EC) No 765/2008, needs to be qualified so that only Retained EU Law is applied after IP Completion Day . This reflects the currently proposed legal framework where certain requirements for accreditation and market surveillance of products in this Regulation will apply as modified by UK law.
4 Terms and Definitions	Manufacturers' Information Information in suitable form provided by a	Manufacturers' Information Information in suitable form provided by a	EU 2016/631 is confirmed as Retained EU Law by section 5 of the Electricity Network

Clause	Current wording	Proposed change	Explanatory note
	Manufacturer in order to demonstrate compliance with one or more of the requirements of this EREC G99. Where Equipment Certificate(s) as defined in EU 2016/631 cover all or part of the relevant compliance points, the Equipment Certificate(s) demonstrate compliance without need for further evidence for those aspects within the scope of the Equipment Certificate.	Manufacturer in order to demonstrate compliance with one or more of the requirements of this EREC G99. Where Equipment Certificate(s) as defined in Retained EU Law (Commission Regulation (EU) 2016/631 (Network Code on the Requirements for Connection of Generators)) cover all or part of the relevant compliance points, the Equipment Certificate(s) demonstrate compliance without need for further evidence for those aspects within the scope of the Equipment Certificate.	Codes and Guidelines (System Operation and Connection) (Amendment etc.) (EU Exit) (No.2) Regulations 2019. The additional text clarifies the requirement applies so far as EU 2016/631 is Retained EU Law .
4 Terms and definitions	New definition	Retained EU Law As defined in European Union (Withdrawal) Act 2018 as amended by the European Union (Withdrawal Agreement) Act 2020.	Definition of Retained EU Law , as proposed for the Distribution Code, is needed to identify those EU Regulations, and parts of, that are still applicable after IP Completion Day . This includes any modifications to UK legislation made under the Section 8 of the Act to address inoperabilities including but not limited to The Electricity and Gas etc. (Amendment) (EU Exit) Regulations 2020.
4 Terms and definitions	New definition	IP Completion Day As defined in section 39 of the European Union (Withdrawal Agreement) Act 2020.	This new definition is required to give effect to the version of the document to be referenced after IP Completion Day .
5.1	The operation and design of the electricity system in Great Britain is defined principally by Directive	The operation and design of the electricity system in Great Britain is defined principally by Directive	See explanatory note for 3.2 Directive 2009/72/EC OF THE EUROPEAN

Clause	Current wording	Proposed change	Explanatory note
	2009/72/EC, the Electricity Act , the Electricity Safety Quality and Continuity Regulations (ESQCR) 2002, as well as general considerations under the Health and Safety at Work Act (HASWA) 1974 and the Electricity at Work Regulations (EaWR) 1989. A brief summary of the main statutory obligations on DNOs , Generators and Customers is included as Annex D.4.	2009/72/EC, as it has effect immediately before IP Completion Day as read with the modifications set out in the Electricity Act 1989 , the Electricity Safety Quality and Continuity Regulations (ESQCR) 2002, as well as general considerations under the Health and Safety at Work Act (HASWA) 1974 and the Electricity at Work Regulations (EaWR) 1989. A brief summary of the main statutory obligations on DNOs , Generators and Customers is included as Annex D.4.	PARLIAMENT AND OF THE COUNCIL.
5.2	Directive 2009/72/EC gives rise to a number of pieces of other EU law, the most relevant of which is Commission Regulation (EU) 2016/631, the Network Code Requirements for all Generators (RfG). This code supersedes UK law, although it is not a complete set of requirements. This EREC has been written to comply fully with the requirements of the RfG, and to include other requirements required for connection to the GB power system.	Directive 2009/72/EC gives rise to a number of pieces of other EU law, the most relevant of which is Commission Regulation (EU) 2016/631, the Network Code Requirements for all Generators (RfG). This code supersedes UK law, although it is not a complete set of requirements. This EREC has been written to comply fully with the requirements of Retained EU Law (Commission Regulation (EU) 2016/631 (Network Code on the Requirements for Connection of Generators)) , referred to as the RfG, and to include other requirements required for connection to the GB power system.	The requirements in EREC G99 were initially written to take into account the application of Commission Regulation (EU) No 2016/631, Establishing a network code on Requirements for Grid Connection of Generators. EU 2016/631 is confirmed as Retained EU Law by section 5 of the Electricity Network Codes and Guidelines (System Operation and Connection) (Amendment etc.) (EU Exit) (No.2). However, the intent is that the technical requirements in Commission Regulation (EU) No 2016/631 will still apply, except where those requirements, or part of them, are not Retained EU Law . The various Statutory

Clause	Current wording	Proposed change	Explanatory note
			Instruments prepared under the European Union (Withdrawal) Act 2018 as amended by the European Union (Withdrawal Agreement) Act 2020 make clear what constitutes Retained EU Law.
16.1.6	The Power Generating Module shall comply with all relevant UK and European Directives and should be labelled in accordance with those requirements.	The Power Generating Module shall comply with all relevant legal requirements UK and European Directives and should be labelled in accordance with those requirements.	The broad reference to compliance with ‘European Directives’ has been deleted and ‘CE Marking’ has been deleted. See explanatory note for proposed modification of ENA EREC G83 Clause 1 Foreword, para 10.
19.7.2 (c)	decides not to grant any derogation in respect of the plant and/or apparatus, then there will be no Operational Notification in place and in accordance with Article 3.1 of the RfG the DNO will initiate a process to disconnect the Power Generating Facility from the DNO’s Distribution Network .	decides not to grant any derogation in respect of the plant and/or apparatus, then there will be no Operational Notification in place and in accordance with Article 3.1 of the RfG the DNO will initiate a process to disconnect the Power Generating Facility from the DNO’s Distribution Network .	See explanatory note for Clause 5.2. Text deleted as the requirement is clear without the reference.