Modification

At what stage is this document in the process?

DCRP/21/07 Distribution Code EU Exit Modifications

Modifications to The Distribution Code and Associated Documents to reflect the terms of the UK's departure from the EU.



The purpose of this document is to assist the Authority in its decision to implement the proposed legal text amendments to affected documents within the existing Distribution Code, as a result of the decision to leave the European Union (as on 31st January 2020).

The proposed modifications were subject to industry consultation between 10th December 2021, and 14th January 2022.

Date of publication: 11th April 2022

Recommendation

The Distribution Code Review Panel (DCRP) and distribution network licensees recommend that the proposed modifications are made to the most recent version of the Distribution Code and the associated documents.



The DCRP and distribution network licensees recommends that this modification should be: Submitted to the Authority for approval.



High Impact:



Medium Impact:



None



Low Impact:

Users, Distribution Network Operators, Suppliers, Generators, Manufacturers

Contents			? Any questions?
 Purpose of the Modification Details of the Proposal Impacts and Other Considerations Impact on other Industry documents Assessment against Distribution Code Objectives Workgroup Recommendations Implementation Consultation Legal Text Distribution Code Review Panel Discussion Recommendation Appendices 		3 3 4 4 4 4	Contact: Chris McCann 020 7706 5105 Proposer: DCRP www.dcode@energy networks.org 020 7706 5105
Timetable			
Workgroup Report presented to DCRP Draft report issued for public consultation Consultation Closed Final Modification Report available for Panel Final Modification Report submitted to Authority	2 nd December 2021 10 th December 2021 14 th January 2022 6 th April 2022 11 th April 2022		

1. Purpose of the Modification

This modification is seeking to ensure that Retained EU Law functions effectively in the context of the Distribution Code following the UK-EU Trade and Cooperation Agreement and the end of the transition period. It will ensure that the Distribution Code takes into account the provisions in the relevant Statutory Instruments prepared under the European Union (Withdrawal) Act 2018 (as amended by the European Union (Withdrawal Agreement) Act 2020).

2. Details of the Proposal

The proposed modification consists of amendments to the current version of the Distribution Code, and associated documents. A list of these documents is shown below:

- Distribution Code Issue 49 March 2022;
- The Constitution And Rules Of The Distribution Code Review Panel Of Great Britain Version 8 - April 2019;
- Engineering Recommendation G83 Issue 2 Amendment 3 June 2019;
- Engineering Recommendation G98 Issue 1 Amendment 6 September 2021; and
- Engineering Recommendation G99 Issue 1 Amendment 8 September 2021.

A detailed breakdown of each proposed legal text amendment is included in Appendix 1 of this document (Pages 7 - 25).

3. Impacts and Other Considerations

Impacts on Users of The Distribution Code

This proposal is expected to have a low impact on all Distribution Code parties. The Distribution Code needs to be amended and the change will ensure the provisions in the relevant Statutory Instruments prepared under the European Union (Withdrawal) Act 2018 (as amended by the European Union (Withdrawal Agreement) Act 2020) will function effectively in the context of the Distribution Code following the end of the transition period.

Impacts on Total System and the DNOs System

There are no impacts on the transmission or distribution systems as a result of this proposed modification.

Environmental Impact Assessment

There is no environmental impact predicted by the implementing this proposed modification.

4. Impact on other Industry Documents

Other than the documents listed within this report, there are no impacts on other industry documents.

5. Assessment against Distribution Code Objectives

The proposed amendments better facilitate the Distribution Code objective:

(i) to permit the development, maintenance and operation of an efficient, coordinated and economical system for the distribution of electricity.

This modification has a neutral impact on this objective.

(ii) to facilitate competition in the generation and supply of electricity.

This modification has a neutral impact on this objective.

(iii) to efficiently discharge the obligations imposed upon distribution licensees by the distribution licences and comply with the Regulation and any relevant legally binding decision of the European Commission and/or the Agency for the Co-operation of Energy Regulators; and

The proposal has a positive impact on this objective, by providing clarity within the Distribution Code and affected documents with respect to the departure from the European Union.

(iv) to promote efficiency in the implementation and administration of the Distribution Code.

This modification has a neutral impact on this objective.

6. Drafting Recommendations

The drafting has been produced by comparing the legal text from the European Union (Withdrawal) Act 2018 (as amended by the European Union (Withdrawal Agreement) Act 2020) with existing text and ensuring the terminology used within the Distribution Code is aligned and accurate.

The term 'Retained EU Law' has been intergrated into existing text on a number of occasions through out the documents to represent the aspects of current Distribution Code legal text where change, as a result of departing from the EU, is required.

All 'European Regulation' defined terms referring to specific Commission Regulations have been removed from the Glossary & Definitions. Each specific Retained EU Law is now referenced in the relevant section of the Distribution Code in the format: "Retained EU Law (Commission Regulation (EU) 2016/631)." Note that Retained EU Laws became national law on IP completion day, but the names of the national laws often still include 'EU'.

Each drafting recommendation has been provided within Appendix 1 of this report.

7. Implementation

The legal text changes to each document will be implemented at the earliest opportunity through minor technical modifications and revised versions of each document.

An assessment on the amendment of Engineering Recommendation G83 will be provided to the Distribution Code Review Panel against the constitution of rules. As the document is based on generation equipment commissioned prior to the creation of Engineering Recommendation G98, a decision on the amendments will then be made on the strength of the assessment provided.

8. Consultation

As a result of the Distribution Code Review Panel's decision at the panel meeting held on the 2nd December 2021 it was agreed to progress this modification to consultation stage. The proposed legal text changes were released to the public for comment on 10th December 2021 with the deadline for responses set at 17:00, 14th January 2022. Each response received from the consultation is presented below.

The following 2 respondents sent in their feedback which have been summarised below, copies of the responses received, and a detailed breakdown of the assessed responses have been provided in the spreadsheet within Appendix 2.

8.1. P2 Consulting

The response from P2 Consulting was broadly supportive, with some questions raised over the requirement to amend the text within EREC G83 (Issue 2 Amendment 3), when the most recent document covering the connection of micro generators is EREC G98. However as EREC G83 remains a live document and has enduring obligations (eg compliance with EMC requirements) it seems reasonable to update this document.

8.2. Northern Powergrid (NPg)

The response received from Northern Powergrid was supportive of the proposed changes with only minor editorial amendments recommended; these changes have since been integrated into the final version of the legal text submitted in Appendix 1.

Overall the responses were supportive of the proposed changes which have been taken into account by the Code Administrator in finalising the proposed legal text.

Further detail of this public consultation can be found on the <u>DCode website</u> under DCRP/21/07/PC.

9. Legal Text

Legal text changes, as part of this modification proposal to the Distribution Code and associated documents, as well as the Constitution and Rules of the Distribution Code Review Panel of Great Britain, have been listed below.

An overview of the legal text changes to the Distribution Code and the associated documents are outlined below:

Distribution Code of GB v49

- Amendment to Guidance Note 2
 - o ERECs G83 and G59
- Amendment to Guidance Note 3
 - EREC G83 Paragraph 3 and paragraph 4
- Addition of new definitions into DGD section
 - IP Completion Day
 - Legally Binding Decisions of the European Commission and/or the Agency
 - o Retained EU Law
- Amendment to existing definition with DGD section
 - Manufacturers Information
- Addition of section of text
 - o DGD 2(x)
- Removal of section of text;
 - o DOC2.2 (c)
- Amendment to existing sections of text
 - o DIN2.1 (b) (iii)
 - o DPC7.1.5
 - o DOC5.6.2.2
 - o DOC12.5

The Constitution And Rules Of The Distribution Code Review Panel Of Great Britain Version 8

- · Addition of new definitions
 - Legally Binding Decisions of the European Commission and/or the Agency
 - Retained EU Law
- · Amendment to existing sections of text
 - o 21(b)
 - o Standard Procedure 1 Clause 4.1 iii

Engineering Recommendation G83

- Addition of new definition
 - o Retained EU Law
- Amendment to existing sections of text
 - Foreword (Paragraph 10)
 - 5.4 Quality of supply
 - o 5.9.2 Compliance
 - A1.2 CE Marking and Certification
 - o B1.2 CE Marking and Certification

Engineering Recommendation G98

- Addition of new definition
 - o Retained EU Law
- Removal of references
 - o References 3.1
- Amendment to existing sections of text
 - Foreword (Paragraph 3)

Engineering Recommendation G99

- Addition of new definition
 - o Retained EU Law
 - IP Completion Day
- Amendment to existing definition
 - Manufacturers Information
- Removal of references
 - o 3.2 References
- Amendment to existing sections of text
 - o **5.1**
 - o **5.2**
 - 0 16.1.6
 - o 19.7.2 (c)

A full copy of the proposed text has been included in Appendix 1.

10. Distribution Code Review Panel Discussion

The Final Modification Report was circulated to DCRP for approval via email on Wednesday 30th March 2022 prior to a discussion at the DCRP meeting held 6th April 2022. At this panel meeting approval was granted to submit this report for the decision of the authority on the proposed changes.

11. Recommendation

The Distribution Code Review Panel and Licenced Distribution Network Operators recommend that this modification report should:

- be submitted to the Authority for approval; and
- subject to the agreement of the Authority the modification should be implemented from the date the revised Distribution Code is published.

12. Appendices

Appendix 1 – Post consultation copy of proposed legal text

Appendix 2 - Consultation responses pack

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

$\label{lem:modifications} \mbox{Modifications to The Distribution Code and Associated Documents Following the Exit from the EU by the UK$

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 49 - 28 March 2022. In addition to the changes below, the corresponding changes will be made to Annex 1 - Qualifying Standards to refer to the new versions of Engineering Recommendations G83, G98 and G99.

Code condition	Current wording	Proposed change	Explanatory note
GUIDANCE	The guidance note only	The guidance note only	Commission Regulation
NOTE 2	applies to small scale	applies to small scale	(EU) 2016/631, which
ENGINEERING	generation first	generation first	constitutes the EU
RECOMMEND-	connected before 27	connected before 27	Network Code
ATIONS G83	April 2019. When the	April 2019. When the	"Requirements for all
AND G59	requirements of the EU	requirements of the EU	generators" (RfG) is
	Network Code	Network Code	confirmed as Retained
	"Requirements for all	"Requiremenets for all	EU Law by section 5 of
	generators" comes into	generators" comes into	the Electricity Network
	effect on 27 April 2019 it	effect on From 27 April	Codes and Guidelines
	will be necessary for all	2019 it will be necessary	(System Operation and
	small scale generation	for all small scale	Connection)
	connected on or after that	generation connected on	(Amendment etc.) (EU
	date to comply with the	or after that date to	Exit) (No.2) Regulations
	requirements of EREC	comply with the	2019. However, as the
	G98 or EREC G99 as	requirements of EREC	27 April 2019 date has
	appropriate.	G98 or EREC G99 as	passed and EREC G98
		appropriate.	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.

CLUDANCE	In the lenger town the	In the length town tThe	Can avelanatamy nota
GUIDANCE	In the longer term the	In the longer term tThe	See explanatory note
NOTE 3	Panel expects that either	Panel expects that either	above for GUIDANCE
ENGINEERING	the requirements of the	the requirements of the	NOTE 2. The proposed
RECOMMEND-	EU Network Code	EU Network Code	deletion of text is
ATIONS G83	"Requirements for all	"Requirements for all	proposed given EREC
	Generators" when	Generators" when	G83 has been updated to
Paragraph 3	enacted in UK law will	enacted in UK law will	reflect the relevant
	require Stirling engine	requireStirling engine	requirements of the
	designs to be modified to	designs to be modified	RfG.
	comply, or to seek a	towill comply with	
	specific derogation.	EREC G83, or to seek a	
	Similarly if the growth of	specific derogation.	
	this technology showed a	Similarly if the growth of	
	risk of being material,	this technology showed a	
	then again full	risk of being material,	
	compliance with G83	then again full	
	would be required. The	compliance with G83	
	Panel believes that a	would be required. The	
	sensible threshold of	Panel believes that a	
	materiality, considering	sensible threshold of	
	the technical and	materiality, considering	
	commercial effects of the	the technical and	
	technology, to be	commercial effects of the	
	50MW.	technology, to be	
		50MW.	
GUIDANCE	This DCRP Guidance	This DCRP Guidance	See explanatory note
NOTE 3	Note has now been	Note has now been	above for GUIDANCE
ENGINEERING	extended and it is now	extended and it is now	NOTE 2. The proposed
RECOMMEND-	expected that the	expected that the	text reflects that the
ATIONS G83	"Stirling Engine" as an	"Stirling Engine" as an	technical requirements
D 1.4	emerging technology	emerging technology	in EREC G98 and
Paragraph 4	must comply from 27	must comply from 27	EREC G99 will not
	April 2019 with the	April 2019 with the	change given the EU
	requirements laid down	requirements laid down	Network Code
	in Articles 66-70 of the	in-Articles 66-70 of	Requirements for
	EU Network Code	Retained EU Law	Connection of
	Requirements for all	(Commission Regulation	Generators is Retained
	Generators. See EREC	(EU) 2016/631)	EU Law after IP
	G98 and EREC G99 for	(Network Code on the	Completion Day.
	details.	Requirements for	
		Connection of	
		Generators). See EREC	
		G98 and EREC G99 for	
N. DOD	NT.	details.	NT 1 (* '.' 11 1 1
New DGD	None	31 December 2020 as	New definition added in
Definition		defined in Section 39 of	line with legal text
IP Completion		the European Union	changes to definition in
Day:		(Withdrawal Agreement)	the Grid Code
		Act 2020.	(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 (Withdrawal Agreement) Act 2020:	None	As defined in the European Union (Withdrawal) Act 2018 as amended by the European Union (Withdrawal Agreement) Act 2020.	New definition added in line with legal text changes toto the definition Grid Code (GC0149).
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 lLegally bBinding dDecisions 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
DCP7.1.5	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 (Network Code on Requirements for Connection of Generators)). Compliance with Engineering Recommendations G98 and G99 will ensure compliance with this European Network Code.	Regulators.

DOC2.2 (c)	To provide guidance for	Delete Current Wording.	Article 7 of the
(-)	High Voltage Customer		European Transparency
	on how to comply with		Regulations
	their obligations under		(information relating to
	Article 7 of the European		the unavailability of
	Transparency		consumption units) has
	Regulations (The		been amended by virtue
	European Commission		of Schedule 3 of The
	Regulation No 543/2013)		Electricity and Gas
	to provide information to		(Market Integrity and
	NGESO in their role as		Transparency)
	Transmission System		(Amendment) (EU Exit)
	Operator.		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	The test referred to in	Supplemental text to
DOC3.0.2.2	DOC5.6.2.1 on any one	DOC5.6.2.1 on any one	make clear the European
	or more of the Power	or more of the Power	Connection Conditions
	Generating Modules	Generating Modules	are those defined in the
	_	<u> </u>	Grid Code.
	comprising part of the relevant Embedded	comprising part of the relevant Embedded	Grid Code.
	Medium Power Station	Medium Power Station	
	should only be to	should only be to	
	demonstrate that:	demonstrate that:	
	(a) the relevant Power	(a) the relevant Power	
	Generating Module	Generating Module	
	meets the requirements	meets the requirements	
	of the paragraphs in the	of the paragraphs in the	
	Grid Code Connection	Grid Code Connection	
	Conditions or European	Conditions or the Grid	
	Connection Conditions	Code European	
	(as applicable) which are	Connection Conditions	
	applicable to such Power	(as applicable) which are	
	Generating Modules or	applicable to such Power	
	Power Station; or	Generating Modules or	
	b) the relevant Power	Power Station; or	
	Generating Module	b) the relevant Power	
	meets the requirements	Generating Module	
	for operation in limited	meets the requirements	
	frequency sensitive mode	for operation in limited	
	as describe in the Grid	frequency sensitive mode	
	Code in accordance with	as describe in the Grid	
	CC.6.3.3 (or ECC6.3.3),	Code in accordance with	
	BC3.5.2 and BC3.7.2,	CC.6.3.3 (or ECC6.3.3),	
DCD 2 (=)	None	BC3.5.2 and BC3.7.2,	Tant to ample a hour
DGD 2 (x)	None	Except where expressly	Text to explain how
		stated to the contrary,	references to
		reference to Commission	Commission
		Regulations means the	Regulations are to be
		Commission Regulation	used within the
		(EU) as it forms part of	Distribution Code.
		Retained EU Law, as	
		such regulation may be	
		amended.	
DGC12.5	The DNO is not obliged	The DNO is not obliged	Text added to clarify
	to act on such a request	to act on such a request	that this relates to a
	from a Customer or a	from a Customer or a	derogation against an
	Generator where there	Generator where there	EU Network Code
	is no technical reason	is no technical reason	which is Retained EU
	preventing the Customer	preventing the Customer	Law.
	from complying with the	from complying with the	
	Distribution Code,	Distribution Code,	
	unless the derogation	unless the derogation	
	relates to non-	relates to non-	
	compliance with a	compliance with a	
	requirement arising from	requirement arising from	
	retained from an EU	retained from an EU	
	Network Code.	Network Code which is	
	THE WOLK COUC.	Retained EU Law.	
		Retained EU Law.	

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	None	Legally Binding	New definition to align
and		Decisions of the	with the new equivalent
Interpretations		European Commission	term/definition in the
		and/or the Agency –	Distribution Code.
		means 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.	
2. Definitions	None	Retained EU Law –	New definition to align
and		means as defined in	with the new equivalent
Interpretations		European Union	term/definition in the
		(Withdrawal) Act 2018 as	Distribution Code.
		amended by the European	
		Union (Withdrawal	
		Agreement) Act 2020.	
21(b)	If the Panel has been	If the Panel has been	Aligned with the new
	notified by the Authority	notified by the Authority	definition of "Legally
	that the Authority	that the Authority	Binding Decisions of the
	reasonably considers it	reasonably considers it	European Commission
	necessary to comply with	necessary to comply with	and/or the Agency' for
	or implement the	or implement the	the Co-operation of
	Regulation and/or any	Regulation and/or any	Energy Regulators' to
	relevant legally binding	relevant lLegally	ensures there is a
	decision of the European	bBinding dDecisions of	requirement to still
	Commission and/or	the European	comply with legally
	Agency for the Co-	Commission and/or the	binding decisions under
	operation of Energy	Agency for the Co-	the Regulation so far as it
	Regulators, the Panel	operation of Energy	is Retained EU Law .
	shall proceed with its	Regulators, the Panel	This aligns with the
	periodic review in	shall proceed with its	modification of the
	accordance with any	periodic review in	Electricity Distribution
	timetable(s) directed by	accordance with any	Licence, where only
	the Authority in relation	timetable(s) directed by	Legally Binding
	to the progress of the	the Authority in relation	Decisions of the
	review and/or the	to the progress of the	European Commission
	implementation of the	review and/or the	and/or the Agency for
	relevant modification to	implementation of the	the Co-operation of
	the Distribution Code .	relevant modification to	Energy Regulators that
		the Distribution Code .	are Retained EU Law
			are applicable after IP
			completion day.

Clause	Current wording	Proposed change	Explanatory note
Standard	The Panel shall determine	The Panel shall determine	Aligned with the new
Procedure 1	whether the proposal	whether the proposal	definition of 'Legally
Clause 4.1 iii	should be pursued, the	should be pursued, the	Binding Decisions of the
	relevance to other	relevance to other	European Commission
	Network Code Review	Network Code Review	and/or the Agency' to
	Panels (NCRPs),	Panels (NCRPs),	ensure there is a
	timescales for	timescales for	requirement to still
	development, the extent of	development, the extent of	comply with legally
	public consultation	public consultation	binding decisions under
	(including any initial	(including any initial	the Regulation so far as it
	consultation prior to	consultation prior to	is Retained EU Law .
	development work), and	development work), and	This aligns with the
	whether a Standards	whether a Standards	modification of the
	Working Group is	Working Group is	Electricity Distribution
	required. If the Panel has	required. If the Panel has	Licence, where only
	been notified by the	been notified by the	Legally Binding
	Authority that the	Authority that the	Decisions of the
	Authority reasonably	Authority reasonably	European Commission
	considers it necessary to	considers it necessary to	and/or the Agency are
	comply with or implement	comply with or implement	Retained EU Law are
	the Regulation and/or any	the Regulation and/or any	applicable after IP
	relevant legally binding	relevant lLegally	Completion Day. The
	decision of the European	bBinding dDecisions of	new definition of
	Commission and/or	the European	'Legally Binding
	Agency for the Co-	Commission and/or the	Decision of the
	operation of Energy	Agency for the Co-	European Commission
	Regulators, the Panel	operation of Energy	and/or the Agency'
	shall proceed with a	Regulators, the Panel	ensures there is a
	modification proposal in	shall proceed with a	requirement to still
	accordance with any	modification proposal in	comply with legally
	timetable directed by the	accordance with any	binding decisions under
	Authority in relation to	timetable directed by the	the Regulation so far as it
	the progress of the review	Authority in relation to	is UK law. This aligns
	and/or the implementation	the progress of the review	with the modification of
	of the relevant	and/or the implementation	the Electricity
	modification to the	of the relevant	Distribution Licence,
	Distribution Code.	modification to the	where only legally
		Distribution Code.	binding decisions of the
			European Commission
			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,	In addition to the	In addition to the	The broad reference to
para 10	requirements specified in	requirements specified in	compliance with
	this document which	this document which	'European Directives and
	allows connection to the	allows connection to the	CE Marking', needs to be
	GB electricity	GB electricity	qualified with the
	Distribution System, the	Distribution System, the	supplemental text so only
	SSEG and all of its	SSEG and all of its	Retained EU Law is
	components shall comply	components shall comply	applied after IP
	with all relevant legal	with all relevant legal	completion day. This
	requirements including	requirements-including	reflects the currently
	European Directives and	European Directives and	proposed legal
	CE marking.	CE marking or UK	framework where
		Conformity Assessed	products that have
		(UKCA) marking as	undergone the complete
		required by UK law.	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	New definition	Retained EU Law has	Definition of Retained
definitions		the same meaning as	EU Law is needed to
		defined in European	identify those EU
		Union (Withdrawal) Act	Directives and
		2018 as amended by the	Regulations, and parts of,
		European Union	that are still applicable
		(Withdrawal Agreement)	after IP completion day.
		Act 2020.	This includes any
			modifications to UK
			legislation made under
			the Section 8 of the Act,
			as amended, to address
			inoperability including
			but not limited to The
			Electricity and Gas etc.

Clause	Current wording	Proposed change	Explanatory note
			(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 2016EMC Directive and Retained EU Law (Commission Regulation (EU) 2016/631 (Network Code on the Requirements for Connection of Generators)) and in	Regulations 2020. 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.
		particular the product	
		family emission standards	
		listed in Table 2.	
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 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	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 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	Same as explanatory note for ENA EREC G83 Clause 1 Foreword, para 10.

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

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,	This document has been	This document has been	The requirements in
para 3	prepared and approved	prepared and approved	EREC G98 were initially
•	under the authority of the	under the authority of the	written to take into
	Great Britain	Great Britain	account the application of
	Distribution Code	Distribution Code	Commission Regulation
	Review Panel. This	Review Panel. This	(EU) No 2016/631,
	EREC G98 has been	EREC G98 has been was	Establishing a network
	written to take account of	initially written to take	code on Requirements for
	the EU Network Code on	account of the EU	Grid Connection of
	Requirements for Grid	Network Code on	Generators. The intent is
	Connection of Generators	Requirements for Grid	that the technical
	14 April 2016.	Connection of Generators	requirements in EREC
		14 April 2016.	G98 will still apply,
		Subsequently, EREC G98	except where those
		has been amended to	requirements, or part of
		clarify references to	them, are not Retained
		Commission Regulation	EU Law . The various
		(EU) 2016/631,	Statutory Instruments
		Establishing a network	prepared under the
		code on Requirements for	European Union
		Grid Connection of	(Withdrawal) Act 2018,
		Generators, apply only so	as amended by the
		far as they are Retained	European Union
		EU Law.	(Withdrawal Agreement)
		Notwithstanding, the	Act 2020 make clear
		requirements in EREC	what constitutes
		G98 have not been	Retained EU Law.
		modified.	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	COMMISSION	COMMISSION	Deleted as reference to
References	REGULATION (EU) No	REGULATION (EU) No	the specific Commission
	2016/631	2016/631	Regulation is added
	Establishing a network	Establishing a network	wherever the term
	code on Requirements for	code on Requirements for	Retained EU Law is
	Grid Connection of	Grid Connection of	used.
	Generators.	Generators.	NOTE: EU 2016/631 is
			confirmed as Retained
			EU Law by section 5 of

Clause	Current wording	Proposed change	Explanatory note
			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 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. 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.
3.1	Regulation (EC) No	Regulation (EC) No	Deleted as reference to

Clause	Current wording	Proposed change	Explanatory note
References	765/2008 of the	765/2008 of the	the specific Commission
	European Parliament	European Parliament	Regulation is added
	and of the Council	and of the Council	wherever the term
	Setting out the	Setting out the	Retained EU Law is
	requirements for	requirements for	used.
	accreditation and market	accreditation and market	NOTE: The reference to
	surveillance relating to	surveillance relating to	Regulation (EC) No
	the marketing of products	the marketing of products	765/2008, needs to be
	and repealing Regulation	and repealing Regulation	qualified so that only
	(EEC) No 339/93.	(EEC) No 339/93.	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
4 Terms and	New definition	Retained EU Law	law. Definition of Retained
definitions	New definition		
definitions		As defined in European Union (Withdrawal) Act	EU Law , as proposed for EREC G83, is needed to
		2018 as amended by the	identify those EU
		European Union	Directives and
		(Withdrawal Agreement)	Regulations, and parts of,
		Act 2020.	that are still applicable
		11ct 2020.	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.

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	COMMISSION	COMMISSION	Deleted as reference to
References	REGULATION (EU) No	REGULATION (EU) No	the specific Commission
	2016/631	2016/631	Regulation is added
	Establishing a network	Establishing a network	wherever the term
	code on Requirements for	code on Requirements for	Retained EU Law is
	Grid Connection of	Grid Connection of	used.
	Generators.	Generators.	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	Directive 2009/72/EC OF	Directive 2009/72/EC OF	Deleted as reference to
References	THE EUROPEAN	THE EUROPEAN	the specific Commission
	PARLIAMENT AND OF	PARLIAMENT AND OF	Regulation is added
	THE COUNCIL	THE COUNCIL	wherever the term
	Concerning common rules	Concerning common rules	Retained EU Law is
	for the internal market in	for the internal market in	used.
	electricity and repealing	electricity and repealing	NOTE: This proposed
	Directive 2003/54/EC.	Directive 2003/54/EC.	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.
3.2	Regulation (EC) No	Regulation (EC) No	Deleted as reference to
References	714/2009 of the European	714/2009 of the European	the specific Commission
	Parliament and of the	Parliament and of the	Regulation is added
	Council	Council	wherever the term

Clause	Current wording	Proposed change	Explanatory note
	on conditions for access to	on conditions for access to	Retained EU Law is
	the network for cross-	the network for cross-	used.
	border exchanges in	border exchanges in	NOTE: After IP
	electricity and repealing	electricity and repealing	Completion Day, the
	Regulation (EC) No	Regulation (EC) No	requirements in
	1228/2003.	1228/2003.	Regulation (EC) No
		1226, 2000.	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)
2.2	D I I (EC) N	D 14 (EC) N	Regulations 2019.
3.2	Regulation (EC) No	Regulation (EC) No	Deleted as reference to
References	765/2008 of the European	765/2008 of the European	the specific Commission
	Parliament and of the	Parliament and of the	Regulation is added
	Council	Council	wherever the term
	Setting out the	Setting out the	Retained EU Law is
	requirements for	requirements for	used.
	accreditation and market	accreditation and market	NOTE: The reference to
	surveillance relating to the	surveillance relating to the	Regulation (EC) No
	marketing of products and	marketing of products and	765/2008, needs to be
	repealing Regulation (EEC)	repealing Regulation (EEC)	qualified so that only
	No 339/93.	No 339/93.	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	Manufacturers'	Manufacturers'	EU 2016/631 is
Definitions	Information	Information	confirmed as Retained
	Information in suitable	Information in suitable	EU Law by section 5 of
	form provided by a	form provided by a	the Electricity Network
	Manufacturer in order to	Manufacturer in order to	Codes and Guidelines
	demonstrate compliance	demonstrate compliance	(System Operation and
	with one or more of the	with one or more of the	Connection)
	requirements of this EREC	requirements of this EREC	(Amendment etc.) (EU
	G99. Where Equipment	G99. Where Equipment	Exit) (No.2) Regulations
	Certificate(s) as defined in	Certificate(s) as defined in	2019. The additional text
	EU 2016/631 cover all or	Retained EU Law	clarifies the requirement
	part of the relevant	(Commission Regulation	applies so far as EU
	compliance points, the	(EU) 2016/631 (Network	2016/631 is Retained
	Equipment Certificate(s)	Code on the Requirements	EU Law.
	demonstrate compliance	for Connection of	20 20
	without need for further	Generators)) cover all or	
	without need for fulfile	Concrators)) Cover all Or	1

Clause	Current wording	Proposed change	Explanatory note
	evidence for those aspects within the scope of the Equipment Certificate.	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.	
4 Terms and definitions	New definition	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 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.	The operation and design of the electricity system in Great Britain is defined principally by Directive 2009/72/EC, as it has effect immediately before IP Completion Day, 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.	See explanatory note for 3.2 Directive 2009/72/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL.

Clause	Current wording	Proposed change	Explanatory note
5.2	Directive 2009/72/EC gives	Directive 2009/72/EC gives	The requirements in
	rise to a number of pieces	rise to a number of pieces	EREC G99 were initially
	of other EU law, the most	of other EU law, the most	written to take into
	relevant of which is	relevant of which is	account the application of
	Commission Regulation	Commission Regulation	Commission Regulation
	(EU) 2016/631, the	(EU) 2016/631, the	(EU) No 2016/631,
	Network Code	Network Code	Establishing a network
	Requirements for all	Requirements for all	code on Requirements for
	Generators (RfG). This	Generators (RfG). This	Grid Connection of
	code supersedes UK law,	code supersedes UK law,	Generators. EU 2016/631
	although it is not a	although it is not a	is confirmed as Retained
	complete set of	complete set of	EU Law by section 5 of
	requirements. This EREC	requirements. This EREC	the Electricity Network
	has been written to comply	has been written to comply	Codes and Guidelines
	fully with the requirements	fully with the requirements	(System Operation and
	of the RfG, and to include	of Retained EU Law	Connection)
	other requirements required	(Commission Regulation	(Amendment etc.) (EU
	for connection to the GB	(EU) 2016/631 (Network	Exit) (No.2). However,
	power system.	Code on the Requirements	the intent is that the
		for Connection of	technical requirements in
		Generators)), referred to as	Commission Regulation
		the RfG, and to include	(EU) No 2016/631 will
		other requirements required	still apply, except where
		for connection to the GB	those requirements, or
		power system.	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
4 - 4 -			Retained EU Law.
16.1.6	The Power Generating	The Power Generating	The broad reference to
	Module shall comply with	Module shall comply with	compliance with
	all relevant UK and	all relevant legal	'European Directives'
	European Directives and	requirements UK and	has been deleted and 'CE
	should be labelled in	European Directives and	Marking' has been
	accordance with those	should be labelled in	deleted. See explanatory
	requirements.	accordance with those	note for proposed modification of ENA
		requirements.	EREC G83 Clause 1
19.7.2 (c)	decides not to grant any	decides not to grant any	Foreword, para 10.
19.7.2 (0)	decides not to grant any	decides not to grant any	See explanatory note for Clause 5.2. Text deleted
	derogation in respect of the plant and/or apparatus, then	derogation in respect of the plant and/or apparatus, then	
	there will be no Operational	there will be no Operational	as the requirement is clear without the
	Notification in place and in	Notification in place and in	reference.
	accordance with Article 3.1	accordance with Article 3.1	TETETETICE.
	of the RfG the DNO will	of the RfG the DNO will	
	initiate a process to	initiate a process to	
	minaic a process to	minate a process to	

Clause	Current wording	Proposed change	Explanatory note
	disconnect the Power	disconnect the Power	
	Generating Facility from	Generating Facility from	
	the DNO's Distribution	the DNO 's Distribution	
	Network.	Network.	