









Modification	At what stage is this document in the process?
<p>DCRP/21/07 Distribution Code EU Exit Modifications</p> <p><i>Modifications to The Distribution Code and Associated Documents to reflect the terms of the UK's departure from the EU.</i></p>	<div style="display: flex; flex-direction: column; align-items: flex-end;"> <div style="border: 1px solid #ccc; border-radius: 5px; padding: 5px; margin-bottom: 5px; display: flex; align-items: center;"> 01 Modification </div> <div style="border: 1px solid #ccc; border-radius: 5px; padding: 5px; margin-bottom: 5px; display: flex; align-items: center;"> 02 DCRP report </div> <div style="border: 1px solid #ccc; border-radius: 5px; padding: 5px; margin-bottom: 5px; display: flex; align-items: center;"> 03 Public Consultation </div> <div style="border: 2px solid #008000; border-radius: 5px; padding: 5px; display: flex; align-items: center;"> 04 Final Modification Report </div> </div>
<p>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).</p> <p>The proposed modifications were subject to industry consultation between 10th December 2021, and 14th January 2022.</p> <p>Date of publication: 11th April 2022</p>	
<p>Recommendation</p> <p>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.</p>	
	<p>The DCRP and distribution network licensees recommends that this modification should be: Submitted to the Authority for approval.</p>
	<p>High Impact: None</p>
	<p>Medium Impact: None</p>
	<p>Low Impact: Users, Distribution Network Operators, Suppliers, Generators, Manufacturers</p>

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Timetable		
Workgroup Report presented to DCRP	2 nd December 2021	
Draft report issued for public consultation	10 th December 2021	
Consultation Closed	14 th January 2022	
Final Modification Report available for Panel	6 th April 2022	
Final Modification Report submitted to Authority	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 [DCode website](#) 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
 - 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
 - Retained EU Law
- Amendment to existing definition with DGD section
 - Manufacturers Information
- Addition of section of text
 - DGD 2(x)
- Removal of section of text;
 - DOC2.2 (c)
- Amendment to existing sections of text
 - DIN2.1 (b) (iii)
 - DPC7.1.5
 - DOC5.6.2.2
 - 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
 - 21(b)
 - Standard Procedure 1 Clause 4.1 iii

Engineering Recommendation G83

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

Engineering Recommendation G98

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

Engineering Recommendation G99

- Addition of new definition
 - Retained EU Law
 - IP Completion Day
- Amendment to existing definition
 - Manufacturers Information
- Removal of references
 - 3.2 References
- Amendment to existing sections of text
 - 5.1
 - 5.2
 - 16.1.6
 - 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

Appendix 1 – Proposed text associated with this modification

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 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 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.

<p>GUIDANCE NOTE 3 ENGINEERING RECOMMENDATIONS G83</p> <p>Paragraph 3</p>	<p>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.</p>	<p>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 technology, to be 50MW.</p>	<p>See explanatory note above for GUIDANCE NOTE 2. The proposed deletion of text is proposed given EREC G83 has been updated to reflect the relevant requirements of the RfG.</p>
<p>GUIDANCE NOTE 3 ENGINEERING RECOMMENDATIONS G83</p> <p>Paragraph 4</p>	<p>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.</p>	<p>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.</p>	<p>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.</p>
<p>New DGD Definition IP Completion Day:</p>	<p>None</p>	<p>31 December 2020 as defined in Section 39 of the European Union (Withdrawal Agreement) Act 2020.</p>	<p>New definition added in line with legal text changes to definition in the Grid Code (GC0149).</p>

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 to 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 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.
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.	

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.
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DOC5.6.2.2	<p>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:</p> <p>(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</p> <p>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,</p>	<p>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:</p> <p>(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</p> <p>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,</p>	<p>Supplemental text to make clear the European Connection Conditions are those defined in the Grid Code.</p>
DGD 2 (x)	None	<p>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.</p>	<p>Text to explain how references to Commission Regulations are to be used within the Distribution Code.</p>
DGC12.5	<p>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.</p>	<p>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.</p>	<p>Text added to clarify that this relates to a derogation against an EU Network Code which is Retained EU Law.</p>

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, 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 the Authority in relation to the progress of the review and/or the implementation of the relevant modification to the Distribution Code .	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 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 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 .	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 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 for the Co-operation of Energy Regulators that are Retained EU Law are applicable after IP completion day.

Clause	Current wording	Proposed change	Explanatory note
Standard Procedure 1 Clause 4.1 iii	<p>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.</p>	<p>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.</p>	<p>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 and/or Agency for the Co-operation of Energy Regulators that are Retained EU Law are applicable after IP Completion Day.</p>

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, 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 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 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 with a CE mark.	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 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.

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 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

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			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

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References	<p>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.</p>	<p>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.</p>	<p>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.</p>
4 Terms and definitions	New definition	<p>Retained EU Law As defined in European Union (Withdrawal) Act 2018 as amended by the European Union (Withdrawal Agreement) Act 2020.</p>	<p>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) (EU Exit) Regulations 2020.</p>

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. (Amendment etc.) (EU Exit) Regulations 2019.
3.2 References	Regulation (EC) No 714/2009 of the European Parliament and of the Council	Regulation (EC) No 714/2009 of the European Parliament and of the Council	Deleted as reference to the specific Commission Regulation is added wherever the term

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	on conditions for access to the network for cross-border exchanges in electricity and repealing Regulation (EC) No 1228/2003.	on conditions for access to the network for cross-border exchanges in electricity and repealing Regulation (EC) No 1228/2003.	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 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	Manufacturers' Information Information in suitable form provided by a 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	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. The additional text clarifies the requirement applies so far as EU 2016/631 is Retained EU Law .

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	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	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 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.

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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 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	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	See explanatory note for Clause 5.2. Text deleted as the requirement is clear without the reference.

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