

**DRAFT**

ANNEX 15/29 PHLG/01-06-2013

## **PROCEDURAL ACT**

**No. \_\_/2013 PHLG-EnC of the Permanent High Level Group of the Energy Community of 19 June 2013 amending the Procedural Act No. 2007/04 of the Permanent High Level Group of the Energy Community on the List of the Generally Applicable Standards for Gas and Electricity**

The Permanent High Level Group of the Energy Community,

Having regard to the Treaty Establishing the Energy Community, and in particular Articles 21, 53 and 87 thereof,

Whereas the Ministerial Council, on 29 June 2007, mandated the Permanent High Level Group to adopt a Procedural Act defining the list of Generally Applicable Standards for gas and electricity as required by Article 21 of the Treaty;

Whereas the Permanent High Level Group adopted on 17 October 2007 Procedural Act No. 2007/04 on the List of Generally Applicable Standards for Gas and Electricity, requesting the Contracting Parties to adopt development plans to bring their gas and electricity sectors into line with the generally applicable standards defined therein,

Recognizing the importance of generally applicable standards for the practical implementation of the Energy Community Treaty, establishment and operation of integrated markets for network energy and investment in the required infrastructure,

Having regard to the continuous evolution of the generally applicable standards adopted by the international standardization bodies and institutions authorized to develop or modify these standards,

Being aware of the institutions existing in all Contracting Parties in charge of following the evolution of the standards and continuously updating standards, including the generally applicable standards, in their respective jurisdictions,

Taking into account the conclusion of the Permanent High Level Group at its meeting on 14 March 2013, acknowledging the delay caused by the need for future updates in comparison with the evolution of standards in the relevant European institutions, and inviting the Secretariat to prepare a proposal enabling automatic implementation of updated generally applicable standards,

Upon proposal by the Energy Community Secretariat,

**HAS ADOPTED THIS PROCEDURAL ACT:**

*Article 1*

Article 1 of Procedural Act No. 2007/04 of the Permanent High Level Group of the Energy Community on the List of the Generally Applicable Standards for Gas and Electricity is replaced by the following:

*Article 1*

- (1) Each Contracting Party shall be responsible for continuously updating the development plans adopted under Article 22 of the Treaty in line with the evolution of Generally Applicable Standards of the European Union as defined by Article 23 of the Treaty.
- (2) The Contracting Parties shall report to the Secretariat on the implementation of their development plans periodically.
- (3) Each Contracting Party shall ensure that the most recent Generally Applicable Standards of the European Union as defined by Article 23 of the Treaty are applied on its territory.”

*Article 2*

This Procedural Act is addressed to the Contracting Parties of the Energy Community.

*Article 3*

- (1) This Procedural act enters into force on the day of its adoption.
- (2) The Secretariat shall make this Procedural Act available on the Energy Community website within seven days upon adoption.

Done in Vienna on 19 June 2013

For the PHLG

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Presidency