



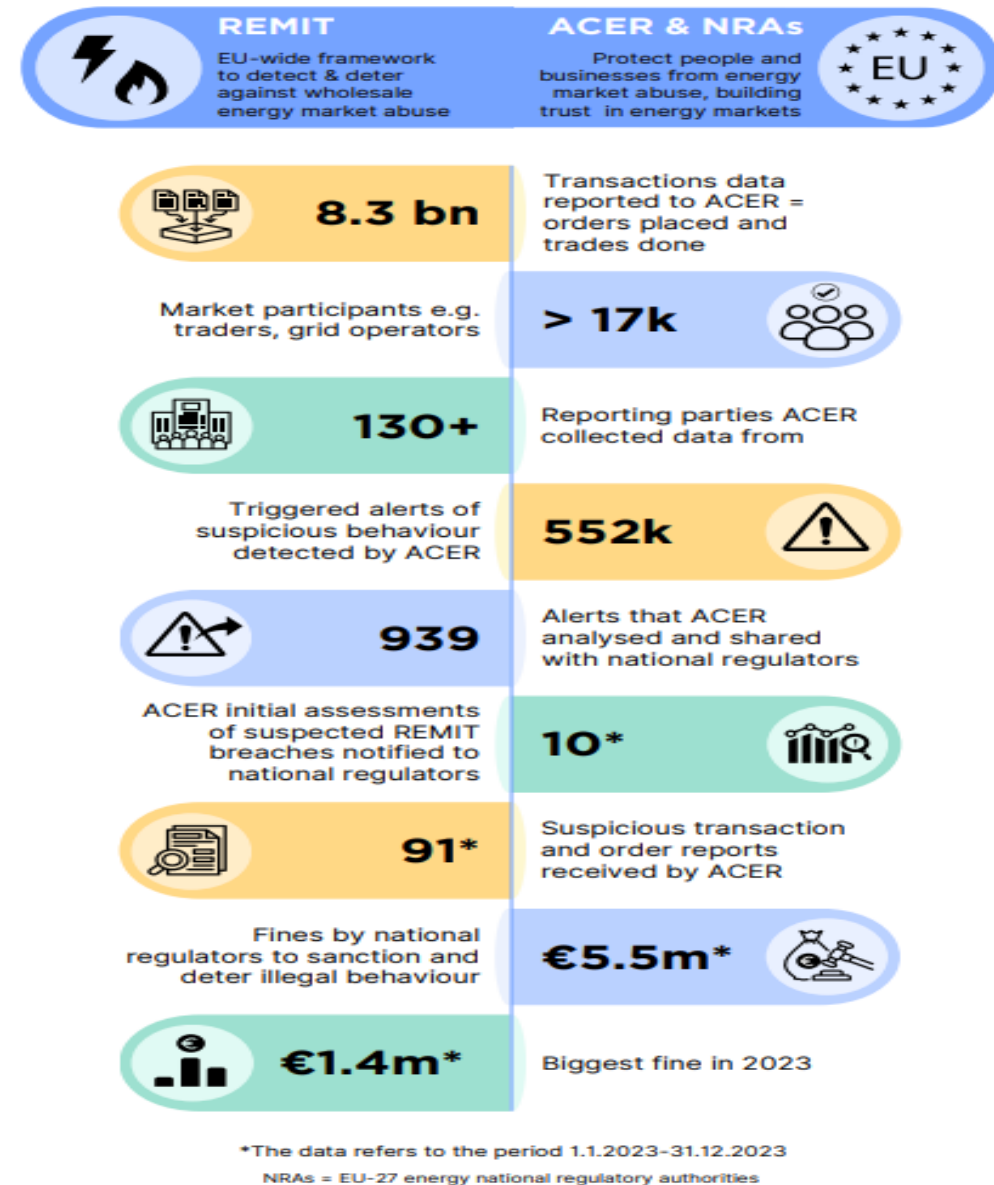
REMIT 2.0

Enhanced integrity and transparency in wholesale energy markets

Workshop on REMIT 2.0 for Energy Community, 22 May 2024

REMIT revision

- REMIT builds trust on the market - transparency and oversight.
- Over 12 years of reputation and achievements.
- Energy crisis – **REMIT 2.0** as an integral with **EMD Reform**.
- Key to improve EU's protection against market manipulation and market abuse, also against external suppliers.



REMIT 2.0 – key aspects of the reform (1)

Better data collection and market monitoring

- Adaptation of the **scope of REMIT** to current and evolving market circumstances
 - Algorithmic trading / *Article 5a*
 - Market coupling / *Article 2 (wholesale energy product definition)*
 - Energy derivatives (cooperation mechanism) / *Article 1(3)*
 - New data reporting obligations (e.g. order books, exposures, hydrogen)/ *Article 8*
- Improving process for the collection of **inside information** and **market transparency**
 - Market manipulation (alignment with financial regulations) / *Articles 2, 3, and 4*
 - Inside Information Platforms / *Article 4a*
- Enhance **supervision** of reporting parties and **data sharing**
 - Registered reporting mechanism (RRMs) / *Article 9a*
 - Persons professionally arranging transactions (PPATs) / *Article 15*
 - Exchange of information between relevant authorities / *Articles 10, 12 and 16*
- Enhance market transparency through an **LNG** price assessment and benchmark / *Articles 7a-7d and definitions 21-25 (based on Emergency Regulation)*

REMIT 2.0 – key aspects of the reform (2)

New enforcement system for cross-border cases

✓ New powers for ACER (EU dimension):

- to conduct investigations on cross-border REMIT cases – based on clearly defined criteria, including:
 - on-site inspections;
 - to issue requests for information as well as the;
 - power to take statements;
 - powers to impose sanctions (periodic penalty payments) in order to ensure compliance with on-site inspection decisions and requests for information.

- ✓ **Result of the investigation:** ACER's investigatory report → national regulators act accordingly.

- ✓ **Delimitation of cases with cross-border impact:**
 - ACER has the right to investigate cases where the conduct affects at least two Member States (various REMIT breaches)

- ✓ **“Objection” by NRA to the exercise of ACER's cross-border investigation powers – clear criteria.**

REMIT 2.0 – key aspects of the reform (3)

Enhanced enforcement – new aspects:

- ✓ Harmonisation of fines (maximum levels) set at national level (*Article 18*)
- ✓ More effective enforcement towards third country companies (*Article 9 – “designation of representative” + registration*)

Thank you

Lukasz Lisicki, Team Leader, ENER.C3/Internal Energy Market Unit
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