

Internal market in natural gas: pipelines to and from third countries

2017/0294(COD) - 03/05/2019 - Final act

PURPOSE: to extend EU rules to pipelines to and from third countries.

LEGISLATIVE ACT: Directive (EU) 2019/692 of the European Parliament and of the Council amending Directive 2009/73/EC concerning common rules for the internal market in natural gas.

CONTENT: this Directive amends [Gas Directive 2009/73/EC](#) to ensure that the rules governing the EU's internal gas market apply to gas transmission lines between a Member State and a third country, up to the territory or territorial waters of the Member State.

Consistency of the legal framework within the Union

In concrete terms, the amendments adopted aim to make it clear that the main principles of EU energy legislation (third party access to the network, pricing rules, ownership unbundling and transparency requirements) shall apply to all pipelines to and from third countries up to the border of the EU territory.

This shall establish consistency of the legal framework within the Union while avoiding distortion of competition in the internal energy market in the Union and negative impacts on the security of supply. It shall also enhance transparency and provide legal certainty to market participants, in particular investors in gas infrastructure and system users, as regards the applicable legal regime.

Derogations

The Directive provides for the possibility of granting derogations for existing pipelines to and from third countries. These derogations shall be granted on a case-by-case basis, for a maximum period of 20 years, on the basis of objective justification, renewable if justified, provided that such derogations do not affect competition, the efficient functioning of the market or security of supply in the Union.

Authorisation procedure

As regards agreements or parts of agreements concluded with third countries which may have an impact on common Union rules, the Directive establishes a coherent and transparent procedure allowing the Commission to authorise a Member State, at its request, to enter negotiations in order to amend, adapt, renew or conclude an agreement with a third country concerning the operation of a transmission line with a third country concerning matters falling, entirely or partly, within the scope of this Directive.

Technical agreements regarding the operation of transmission lines

This Directive does not affect the freedom of transmission system operators or other economic operators to maintain in force or to conclude technical agreements on issues concerning the operation of transmission lines between a Member State and a third country, insofar as those agreements are compatible with Union law.

ENTRY INTO FORCE: 23.5.2019.

TRANSPOSITION: no later than 24.2.2020.

