

**RECOMMENDATION
OF THE MINISTERIAL COUNCIL
RECOMMENDATION No. 2010/02/MC-EnC**

of 24 September 2010

**on the implementation of amendments to the
"acquis communautaire on energy"**

The Ministerial Council of the Energy Community,

Having regard to the Treaty establishing the Energy Community ("the Treaty") and in particular Articles 2, 24, 25 and 100 (ii) thereof,

Whereas Article 11 of the Treaty identifies the "acquis communautaire on energy" as being: (i) Directive 2003/54/EC of the European Parliament and of the Council of 26 June 2003 concerning common rules for the internal market in electricity, (ii) Directive 2003/55/EC of the European Parliament and of the Council of 26 June 2003 concerning common rules for the internal market in natural gas, and (iii) Regulation 1228/2003/EC of the European Parliament and of the Council of 26 June 2003 on conditions for access to the network for cross-border exchanges in electricity,

Whereas by Decision N° 2007/06/MC-EnC of 18 December 2007 the Ministerial Council decided the implementation by the Contracting Parties of Regulation (EC) N° 1775/2005 on conditions of access to the natural gas network,

Whereas the above mentioned pieces of European Union Law have been amended and recast into four new acts and will therefore be repealed and replaced, as from 3rd of March 2011 by two new Directives and two new Regulations,

Whereas the Energy Community should accordingly also implement amendments to the acquis as defined in Article 11 of the Treaty in order to reflect the evolution of the European Union Law,

Whereas Article 24 of the Treaty provides that the Energy Community may take Measures adapting the acquis communautaire described in it, taking into account both the institutional framework of this Treaty and the specific situation of each of the Contracting Parties,

Whereas under Article 79 the relevant adaptations shall be proposed, as appropriate, by the European Commission,

Whereas the Permanent High Level Group, at its meeting on 29th June 2010, elaborated and proposed to adopt the present Recommendation,

HEREBY RECOMMENDS:

1.

Each Contracting Party should implement the *acquis* on energy defined in Article 11 of the Treaty as amended and replaced by the following pieces of European Union Law:

- Directive 2009/72/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in electricity and repealing Directive 2003/54/EC.¹
- Directive 2009/73/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in natural gas and repealing Directive 2003/55/EC.²
- Regulation (EC) No 714/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the network for cross-border exchanges in electricity and repealing Regulation (EC) No 1228/2003.³
- Regulation (EC) No 715/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the gas natural transmission networks and repealing Regulation (EC) No 1775/2005.⁴

2.

This Recommendation enters into force upon its adoption and is addressed to the Contracting Parties.

Done in Skopje, on 24 September 2009

For the Ministerial Council:

.....
Presidency



¹ OJ L 211, 14.8.2009, p.55

² OJ L 211, 14.8.2009, p.94

³ OJ L 211, 14.8.2009, p.15

⁴ OJ L 211, 14.8.2009, p.36