

EU gas market: new rules agreed will also cover gas pipelines entering the EU

- Both internal EU gas pipelines and those from non-EU countries now covered by EU law, including competition rules
- Clear procedures for granting exceptions to the new rules
- An agreement with a non-EU country cannot lead to the implementation of this directive being delayed

New rules setting out a clear regulatory framework to operate gas pipelines inside the EU and from non-EU countries were provisionally agreed between MEPs and member states.

An overhaul of EU gas market rules was informally agreed on Tuesday evening. The amended rules will cover both internal EU gas pipelines as well as all gas pipelines from non-EU countries into the EU, creating legal clarity for existing and new gas infrastructure.

The rule stating that ownership of gas transmission infrastructure must be separate from that of the gas already applies to EU pipelines. With the new legislation, this would be applicable to all gas pipelines in the EU as a general rule, even if they originate outside of the European Union, with the possibility for derogations for existing gas pipelines and exemptions for new ones.

New gas pipelines from non-EU countries

The new rules give exclusive competence to the EU when it comes to agreements on new EU gas lines with non-EU countries. The member state in which the pipeline's first entry point is located shall consult the non-EU country concerned before deciding on an exemption based on EU rules. The Commission will take the binding decision on whether to grant the exemption. If the member state's assessment differs from that of the Commission, it is the Commission's assessment which prevails.

The Commission may also authorise a member state to open negotiations with a non-EU country, unless it considers this to be in conflict with EU law or detrimental to competition or security of supply. Before signing such an agreement, the member state shall notify the text of the agreement to the Commission and receive its authorisation to sign.

The European Parliament also included in the text that under no circumstances should an agreement between a member state and a non-EU country lead to the implementation of this directive being delayed. Member states will have nine months to bring their national legislation

in line with this directive.

Existing gas pipelines from non-EU countries

For derogations for existing pipelines (connected to EU pipelines before the entry into force of this directive), the member state in which the first entry point of the pipeline is located may derogate from the new rules, provided this derogation is not detrimental to competition in the EU. Member states can decide on a derogation within one year after the entry into force of the directive. If the pipeline is located in the territory of more than one member state, it shall consult the other member states before granting such a derogation.

Quote

After the deal was reached, rapporteur [Jerzy Buzek \(EPP, PL\)](#) said: “Many wanted to see these negotiations fail as, without this agreement, EU rules would not be applicable to gas pipelines from non-EU countries. With today’s deal, all future gas pipelines from non-EU countries, including Nord Stream 2, will have to abide by EU rules. This has always been the main goal of the European Parliament and I am delighted that this is today confirmed in the agreement with the Council.”

Next steps

The deal will now be put to the Industry, Research and Energy Committee and plenary for approval as well as to the Council. The Directive will enter into force 20 days after publication in the Official Journal.

Further information

[Committee on Industry, Research and Energy](#)

[Procedure file](#)

[EP Think Thank briefing](#)

[Press release after Committee vote](#)

[Commission Q&A](#)

[Rapporteur, Jerzy Buzek \(EPP, PL\)](#)

Contacts

Thomas HAAHR

Press Officer

 +32 2 28 42976 (BXL)

 (+33) 3881 72033 (STR)

 +32 470 88 09 87

 [@EP_Industry](https://twitter.com/EP_Industry)

 thomas.haahr@ep.europa.eu
