**КОРЕСПОДЕНТНА ТАБЕЛА**

**ФОРМУЛАР ЕУ-МК**

CORRESPONDENCE TABLE

FORM EU-MK

Translated to english 17.04.2025

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| **CELEX Број на прописот на ЕУ: 32011R1227****Title and number of the Official Journal of the European Union** : Регулатива (ЕУ) бр. 1227/2011 на Европскиот Парламент и на Советот од 25 октомври 2011 година за интегритетот и транспарентноста на пазарите на големо за енергијаСлужбен Весник на Европската унија L 326/1**Title and number of the Official Journal of the European Union in English:** REGULATION (EU) No 1227/2011 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 25 October 2011on wholesale energy market integrity and transparency Official Journal of the European Union L 326/1 |

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|  | Name of the national legal provisions transposing the EU regulation (abbreviation) | EPP No. of national labor regulations | Is it a draft regulation or an adopted regulation(if an adopted regulation, fill in the last column) | Number of Official Gazette of the Republic of Macedonia (no./year with 4 digits) | Comment |
| 1 | **Draft Energy Law (DEL)** | 2019.0400.7894 | Draft regulation |  |  |

Date : 14.01.2025

Responsible person : Катерина Георгиевска

Version 1

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
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| Number of Article |  Article  | Title of the National Legal Regulation (abbreviation of the National Legal Regulation) | Number of Article | Article of the National Legal Regulation | Is it fully compliant (Fully , Partially , Not transposed, not relevant for RNM, discretionay clause) | If it is not fully compliant, how will it be transposed | Scheduled deadline for full compliance | Comment |
|  Article 1 Paragraph (1) | 1.   This Regulation establishes rules prohibiting abusive practices affecting wholesale energy markets which are coherent with the rules applicable in financial markets and with the proper functioning of those wholesale energy markets whilst taking into account their specific characteristics. It provides for the monitoring of wholesale energy markets by the Agency for the Cooperation of Energy Regulators (‘the Agency’) in close collaboration with national regulatory authorities and taking into account the interactions between the Emissions Trading Scheme and wholesale energy markets. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 1 Paragraph (2) | This Regulation applies to trading in wholesale energy products. <…> This Regulation is without prejudice to <…> the application of Energy Community and national competition law to the practices covered by this Regulation |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 1 Paragraph (3) | The Agency, national regulatory authorities, ESMA, competent financial authorities of the Member States and, where appropriate, national competition authorities shall cooperate to ensure that a coordinated approach is taken to the enforcement of the relevant rules where actions relate to one or more financial instruments to which Article 9 of Directive 2003/6/EC applies and also to one or more wholesale energy products to which Articles 3, 4 and 5 of this Regulation apply | ПЗЕ |  Article 55Paragraph (3) | The Energy Regulatory Commission shall adopt a rulebook on the manner and procedure for monitoring the operation of energy markets.  | Partially compliant | It will be fully compliant by by adopting another legal regulation in the field of energy | Within nine months from the date of entry into force of this law. |  |
|  Article 2 Paragraph 1 Point 1  | (1) ‘inside information’ means information of a precise nature which has not been made public, which relates, directly or indirectly, to one or more wholesale energy products and which, if it were made public, would be likely to significantly affect the prices of those wholesale energy products. For the purposes of this definition, ‘information’ means: (a) information which is required to be made public in accordance with Regulations (EC) No 714/2009 and (EC) No 715/2009, including guidelines and network codes adopted pursuant to those Regulations; (b) information relating to the capacity and use of facilities for production, storage, consumption or transmission of electricity or natural gas or related to the capacity and use of LNG facilities, including planned or unplanned unavailability of these facilities (c) information which is required to be disclosed in accordance with legal or regulatory provisions at Union or national level, market rules, and contracts or customs on the relevant wholesale energy market, in so far as this information is likely to have a significant effect on the prices of wholesale energy products; and (d) other information that a reasonable market participant would be likely to use as part of the basis of its decision to enter into a transaction relating to, or to issue an order to trade in, a wholesale energy product. Information shall be deemed to be of a precise nature if it indicates a set of circumstances which exists or may reasonably be expected to come into existence, or an event which has occurred or may reasonably be expected to do so, and if it is specific enough to enable a conclusion to be drawn as to the possible effect of that set of circum stances or event on the prices of wholesale energy products; | ПЗЕ |  Article 3 точки 21 и 148 | 21.‘inside information’ means information of a precise nature which has not been made public, which relates, directly or indirectly, to one or more wholesale energy products and which, if it were made public, would be likely to affect the prices of those wholesale energy products. For the purposes of this definition, ‘information’ means:20.1. information which is required to be made public in accordance with this Law and the regulations and other acts adopted or approved pursuant to this Law, or 20.2. 20.2. information relating to the capacity and use of facilities for production, storage, consumption or transmission of electricity or natural gas, including planned or unplanned unavailability of these facilities, or20.3. information which is required to be disclosed in accordance with the obligations determined by this Law and with the regulations and other acts adopted or approved pursuant to this Law, contracts or customs on the relevant wholesale energy market, in so far as this information is likely to have a significant effect on the prices of wholesale energy products, or20.4. other information that the market participants would be likely to use as part of the basis of their decision to enter into a transaction relating to, or to issue an order to trade in, a wholesale energy product;(1) ‘inside information’ means information of a precise nature which has not been made public, which relates, directly or indirectly, to one or more wholesale energy products and which, if it were made public, would be likely to significantly affect the prices of those wholesale energy products | Fully compliant |  |  |  |
|  Article 2 Paragraph 1 Point 2 | (2) ‘market manipulation’ means: (a) entering into any transaction or issuing any order to trade in wholesale energy products which: (i) gives, or is likely to give, false or misleading signals as to the supply of, demand for, or price of wholesale energy products; (ii) secures or attempts to secure, by a person, or persons acting in collaboration, the price of one or several wholesale energy products at an artificial level, unless the person who entered into the transaction or issued the order to trade establishes that his reasons for doing so are legitimate and that that transaction or order to trade conforms to accepted market practices on the wholesale energy market concerned; or (iii) employs or attempts to employ a fictitious device or any other form of deception or contrivance which gives, or is likely to give, false or misleading signals regarding the supply of, demand for, or price of wholesale energy products; or(b) disseminating information through the media, including the internet, or by any other means, which gives, or is likely to give, false or misleading signals as to the supply of, demand for, or price of wholesale energy products, including the dissemination of rumours and false or misleading news, where the disseminating person knew, or ought to have known, that the information was false or misleading.When information is disseminated for the purposes of journalism or artistic expression, such dissemination of information shall be assessed taking into account the rules governing the freedom of the press and freedom of expression in other media, unless: (i) those persons derive, directly or indirectly, an advantage or profits from the dissemination of the information in question; or (ii) the disclosure or dissemination is made with the intention of misleading the market as to the supply of, demand for, or price of wholesale energy products; | ПЗЕ |  Article 56Paragraph 2 | (2)Manipulation on wholesale markets for energy products shall be prohibited, and manipulation shall be deemed to be:1.carrying out any transaction or giving any order to trade in energy products on the wholesale market, which:1.1. giving or likely to be given false or misleading signals about the supply, demand or price of energy products on the wholesale market;1.2. providing or there is an attempt to provide, with the assistance of one entity or in cooperation with several entities, artificial setting of the price of one or more energy products on the wholesale market, unless the entity who carried out the transaction or issued the order to trade proves that there are legitimate reasons for doing so and that the transaction or order to trade is in accordance with accepted practices on the relevant wholesale energy product market, or 1.3. useing or attempt to use a fictitious device or any other form of deception or contrivance which gives, or is likely to give, false or misleading signals about the supply, demand or prices of energy products on the wholesale market, or1.4. dissemination of information through the media, the Internet or any other means that gives, or is likely to give, false or misleading signals about the supply, demand or prices of energy products on the wholesale market, including dissemination of rumors or false or misleading news if the entity disseminating it has been aware or should have been aware that the information was false or misleading. | Fully compliant |  |  |  |
|  Article 2 Paragraph 1 Point (3) | (3) ‘attempt to manipulate the market’ means: (a) entering into any transaction, issuing any order to trade or taking any other action relating to a wholesale energy product with the intention of: (i) giving false or misleading signals as to the supply of, demand for, or price of wholesale energy products; (ii) securing the price of one or several wholesale energy products at an artificial level, unless the person who entered into the transaction or issued the order to trade establishes that his reasons for doing so are legitimate and that that transaction or order to trade conforms to accepted market practices on the wholesale energy market concerned; or (iii) employing a fictitious device or any other form of deception or contrivance which gives, or is likely to give, false or misleading signals regarding the supply of, demand for, or price of wholesale energy products; or (b) disseminating information through the media, including the internet, or by any other means with the intention of giving false or misleading signals as to the supply of, demand for, or price of wholesale energy products; | ПЗЕ |  Article 56 Paragraph 3  | (3) Manipulation attempt on wholesale market for energy products shall be prohibited, and manipulation attempt shall be deemed to be:1.carrying out any transaction, giving any order to trade or taking any other action, relating to a particular energy product on the wholesale market, with the intention of:1.1. giving or likely to give false or misleading signals about the supply, demand or price of energy products on the wholesale market;1.2. artificial setting of the price of one or more energy products on the wholesale market, unless the entity who carried out the transaction or issued the order to trade proves that there are legitimate reasons for doing so and that the transaction or order to trade is in accordance with accepted practices on the relevant wholesale energy product market, or1.3. use of fictitious device or any other form of deception or contrivance which gives, or is likely to give, false or misleading signals about the supply, demand or prices of energy products on the wholesale market, or2.dissemination of information through the media, the Internet or in any other manner, with the intention of giving false or misleading signals about the supply, demand or prices of energy products on the wholesale market. | Fully compliant |  |  |  |
|  Article 2 Paragraph 1 Point 4 | (4) ‘wholesale energy products’ means the following contracts and derivatives, irrespective of where and how they are traded: (a) contracts for the supply of electricity or natural gas where delivery is in the Union; (c) contracts relating to the transportation of electricity or natural gas in the Contracting Parties; (d) Contracts for the supply and distribution of electricity or natural gas for the use of final custom ers are not wholesale energy products. However, contracts for the supply and distribution of electricity or natural gas to final customers with a consumption capacity greater than the threshold set out in the second paragraph of point (5) shall be treated as wholesale energy products | ПЗЕ |  Article 3Point 58 | 58. ‘wholesale energy products’ means contract or derivative, irrespective of where and how they are traded, for the supply of electricity or natural gas where delivery is on the territory of the Republic of North Macedonia or on the territory of counter party to the Energy Community or on European Union’s Member-State, whereby contracts for supply and distribution of electricity or natural gas to final customers are not considered wholesale energy products, except for contracts for supply of final customers with a consumption capacity equal to or greater than the consumption specified in this Law. | Fully compliant  |  |  |  |
|  Article 2 Paragraph 1 Point (5) | (5) ‘consumption capacity’ means the consumption of a final customer of either electricity or natural gas at full use of that customer's production capacity. It comprises all consumption by that customer as a single economic entity, in so far as consumption takes place on markets with interrelated wholesale prices. For the purposes of this definition, consumption at indi vidual plants under the control of a single economic entity that have a consumption capacity of less than 600 GWh per year shall not be taken into account in so far as those plants do not exert a joint influence on wholesale energy market prices due to their being located in different relevant geographical markets; | ПЗЕ |  Article 56Paragraph 4Point 5 | 5. customers who have a consumption capacity of electricity or gas at full utilization of all generation capacities of the customer, which is equal to or greater than 600 gigawatt hours (hereinafter: GWh) for a period of one calendar year and includes the total consumption of that customer as a separate economic entity, provided that the consumption takes place on markets with related wholesale prices, not taking into account the consumption of individual installations under the control of one economic entity with a consumption capacity of less than 600 GWh per year, if those installations are located in different relevant geographic markets and therefore do not have a common influence on the prices of energy products on the wholesale market,  | Fully compliant  |  |  |  |
|  Article 2 Paragraph 1 Point (6) | (6) ‘wholesale energy market’ means any market within the Union on which wholesale energy products are traded;  | ПЗЕ |  Article 3 Point 135 | 1. ‘wholesale energy market’ means any market in a counter party to the Energy Community or in a Member State of the European Union on which wholesale energy products are traded;
 | Fully compliant |  |  |  |
|  Article 2 Paragraph 1 Point (7) | (7) ‘market participant’ means any person, including trans mission system operators, who enters into transactions, including the placing of orders to trade, in one or more wholesale energy markets;  | ПЗЕ |  Article 3Point 223 | 1. ‘market participant’ means a person who buys and/or sells, directly or through an intermediary, electricity or gas on one or more markets, including balancing energy and system services markets, who produces electricity or gas, who trades or supplies electricity or gas or who consumes electricity or gas for its own needs, who is engaged in aggregation or who offers energy or gas storage or demand management services or who is an operator of demand response or energy storage services, including by placing trading orders;
 | Fully compliant  |  |  |  |
|  Article 2 Paragraph 1 Point (8) | (8) ‘person’ means any natural or legal person;  | ПЗЕ |  Article 3 Point 95  | 95.‘person means a natural person, as well as a legal or natural person registered in the appropriate register in the Republic of North Macedonia; | Fully compliant  |  |  |  |
|  Article 2 Paragraph 1 Point (9) | (9) ‘competent financial authority’ means a competent authority designated in accordance with the procedure laid down in Article 11 of Directive 2003/6/EC; |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 2 Paragraph 1 Point (10)  | (10) ‘national regulatory authority’ means a national regulatory authority designated in accordance with Article 35(1) of 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 ( 1 ) or Article 39(1) of 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 ( 2 ); | ПЗЕ |  Article 46 | (1) Energy Regulatory Commission shall be an independent and sole regulatory body that regulates and controls the manner of performing energy activities under this Law, as well as other activities determined by law.  | It will be fully compliant by by adopting another legal regulation in the field of energy | Within nine months from the date of entry into force of this law. |  |  |
|  Article 2 Paragraph 1 Point (11) | (11) ‘transmission system operator’ has the meaning set out in point 4 of Article 2 of Directive 2009/72/EC and in point 4 of Article 2 of Directive 2009/73/EC;  | ПЗЕ |  Article 3 Point 122 | 122.‘transmission system operator’ means an undertaking that carries out electricity transmission activities, manages the electricity transmission system in the Republic of North Macedonia and is responsible for secure and stable operation of the system, its maintenance, development and interconnection with the electricity systems of neighbouring countries;  | Fully compliant  |  |  |  |
|  Article 2 Paragraph 1 Point (12) | (12) ‘parent undertaking’ means a parent undertaking within the meaning of Articles 1 and 2 of the Seventh Council Directive 83/349/EEC of 13 June 1983 based on Article 54(3)(g) of the Treaty on consolidated accounts ( 3 ); |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 2 Paragraph 1 Point (13) | (13) ‘related undertaking’ means either a subsidiary or other undertaking in which a participation is held, or an under taking linked with another undertaking by a relationship within the meaning of Article 12(1) of Directive 83/349/EEC;  | ПЗЕ |  Article 3 Point 147 | 147.‘affiliated undertakings’ means affiliated undertakings in accordance with the Company Law; | Fully compliant  |  |  |  |
|  Article 2 Paragraph 1 Point (14) | (14) ‘distribution of natural gas’ has the meaning set out in point (5) of Article 2 of Directive 2009/73/EC; | ПЗЕ |  Article 3 Point 37  | 37.‘gas distribution’ means transport of natural gas through a gas distribution system, and operation of a natural gas distribution system for the purpose of delivering gas to customers, not including gas supply; | Fully compliant  |  |  |  |
|  Article 2 Paragraph 1 Point (15) | (15) ‘distribution of electricity’ has the meaning set out in point (5) of Article 2 of Directive 2009/72/EC.  | ПЗЕ |  Article 3 Point 38  | 38.‘electricity distribution’ means transmission and delivery of electricity through high-voltage, medium-voltage and low-voltage electricity distribution systems and management of the electricity distribution system in a specific area, not including electricity supply; | Fully compliant  |  |  |  |
|  Article 2 Paragraph 1 Point (16) | (16) ‘sensitive critical infrastructure protection related information’ means facts about a critical infrastructure, which if disclosed could be used to plan and act with a view to causing disruption or destruction of critical infrastructure installations. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 2 Paragraph 1 Point (17) | (17) ’critical infrastructure’ means an asset, system or part thereof located in Contracting Parties which is essential for the maintenance of vital societal functions, health, safety, se curity, economic or social well-being of people, and the disruption or destruction of which would have a significant impact in a Contracting Parties as a result of the failure to maintain those functions |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 3 Paragraph (1)  | 1. Persons who possess inside information in relation to a wholesale energy product shall be prohibited from: (a) using that information by acquiring or disposing of, or by trying to acquire or dispose of, for their own account or for the account of a third party, either directly or indirectly, wholesale energy products to which that information relates; (b) disclosing that information to any other person unless such disclosure is made in the normal course of the exercise of their employment, profession or duties; (c) recommending or inducing another person, on the basis of inside information, to acquire or dispose of wholesale energy products to which that information relates. | ПЗЕ |  Article 56Paragraph 1Point 1, 2 и 3 | (1)Trading based on inside information shall be prohibited, i.e. entities possessing inside information regarding an energy product on the wholesale market may not: 1.use inside information when buying or selling or attempting to buy or sell, for their own account or for the account of a third party, directly or indirectly, wholesale energy products to which that information relates; 2.disclose inside information to any other entity, unless such disclosure is made in the ordinary course of their business, occupation or duty, and 3.recommend or induce another entity, based on inside information, to buy or sell an energy product on the wholesale market to which the information relates. | Fully compliant  |  |  |  |
|  Article 3 Paragraph (2) | 2. The prohibition set out in paragraph 1 applies to the following persons who possess inside information in relation to a wholesale energy product: (a) members of the administrative, management or supervisory bodies of an undertaking; (b) persons with holdings in the capital of an undertaking; (c) persons with access to the information through the exercise of their employment, profession or duties; (d) persons who have acquired such information through criminal activity; (e) persons who know, or ought to know, that it is inside information. | ПЗЕ |  Article 55Paragraph 3 и 4 | (3)The Energy Regulatory Commission shall adopt a rulebook on the manner and procedure for monitoring the operation of energy markets. (4) Based on the data and information obtained from monitoring the conditions of the energy markets in the Republic of North Macedonia, the Energy Regulatory Commission shall establish and maintain a database necessary for monitoring the operation of the markets, shall prepare and publish recommendations regarding the harmonisation of prices on a market basis and a report on the conditions and operation of the energy markets as an integral part of the report referred to in Article 72 of this Law. | Делумно усогласен  | It will be fully compliant by by adopting another legal regulation in the field of energy | Within nine months from the date of entry into force of this law. |  |
|  Article 3 Paragraph (3) | 3. Points (a) and (c) of paragraph 1 of this Article shall not apply to transmission system operators when purchasing elec tricity or natural gas in order to ensure the safe and secure operation of the system in accordance with their obligations under points (d) and (e) of Article 12 of Directive 2009/72/EC or points (a) and (c) of Article 13(1) of Directive 2009/73/EC. | ПЗЕ |  Article 127Paragraph 8 | (8) In order to ensure operational security and efficient operation of the regional balancing services market based on the principles of competition, non-discrimination and transparency within the Energy Community, the electricity transmission system operator shall cooperate with other electricity transmission system operators from the Contracting Parties to the Energy Community and the Member States of the European Union concerned. | Partially compliant  | It will be fully compliant by by adopting another legal regulation in the field of energy | Within nine months from the date of entry into force of this law. |  |
|  Article 3 Paragraph (4) | 4. This Article shall not apply to: (a) transactions conducted in the discharge of an obligation that has become due to acquire or dispose of wholesale energy products where that obligation results from an agreement concluded, or an order to trade placed, before the person concerned came into possession of inside information; (b) transactions entered into by electricity and natural gas producers, operators of natural gas storage facilities or operators of LNG import facilities the sole purpose of which is to cover the immediate physical loss resulting from unplanned outages, where not to do so would result in the market participant not being able to meet existing contractual obligations or where such action is undertaken in agreement with the transmission system operator(s) concerned in order to ensure safe and secure operation of the system. In such a situation, the relevant information relating to the transactions shall be reported to the Agency and the national regulatory authority. This reporting obligation is without prejudice to the obligation set out in Article 4(1); (c) market participants acting under national emergency rules, where national authorities have intervened in order to secure the supply of electricity or natural gas and market mechanisms have been suspended in a Member State or parts thereof. In this case the authority competent for emergency planning shall ensure publication in accordance with Article 4. | ПЗЕ |  Article 273 Paragraph 5 Article 56Paragraph 7 Article 146 Paragraph 3 и 5 | (5) The Energy Regulatory Commission shall adopt a rulebook on supervision, which shall prescribe in more detail the preparation and conduct of supervision  Article 56Paragraph 7(7) If an entity which, within the performance of its activity, mediates in negotiating transactions with energy products on wholesale energy markets suspects that a certain transaction may constitute trading based on inside information, market manipulation or attempted market manipulation, it shall be obliged to notify the Energy Regulatory Commission thereof. Article 146 Paragraph 3 и 5(3)The electricity transmission system operator shall prepare and, upon approval by the Energy Regulatory Commission, adopt a system protection plan and a system restoration plan, which shall be harmonised with the measures contained in the plans of the other operators in the Continental Europe synchronous area.(5) The rules for registration of participation in the electricity market and regulation of the bilateral contracts market shall regulate the manner, procedure and conditions for suspending and re-establishing market activities on the market in emergency cases, as well as the manner, procedure and conditions for calculating imbalances and the corresponding financial transactions from balancing services in the event of suspension | Partially compliant  | It will be fully compliant by by adopting another legal regulation in the field of energy | Within nine months from the date of entry into force of this law. |  |
|  Article 3 Paragraph (5) | 5. Where the person who possesses inside information in relation to a wholesale energy product is a legal person, the prohibitions laid down in paragraph 1 shall also apply to the natural persons who take part in the decision to carry out the transaction for the account of the legal person concerned.  | ПЗЕ |  Article 273Paragraph 5 | (5) The Energy Regulatory Commission shall adopt a rulebook on supervision, which shall prescribe in more detail the preparation and conduct of supervision. | Partially compliant | It will be fully compliant by by adopting another legal regulation in the field of energy | Within nine months from the date of entry into force of this law. |  |
|  Article 3 Paragraph (6) | 6. When information is disseminated for the purposes of journalism or artistic expression such dissemination of information shall be assessed taking into account the rules governing the freedom of the press and freedom of expression in other media, unless: (a) those persons derive, directly or indirectly, an advantage or profits from the dissemination of the information in question; or;(b) the disclosure or dissemination is made with the intention of misleading the market as to the supply of, demand for, or price of wholesale energy products. | ПЗЕ |  Article 273 Paragraph 5 | (5) The Energy Regulatory Commission shall adopt a rulebook on supervision, which shall prescribe in more detail the preparation and conduct of supervision. | Partially compliant  | It will be fully compliant by by adopting another legal regulation in the field of energy | Within nine months from the date of entry into force of this law. |  |
|  Article 4 Paragraph (1) | . Market participants shall publicly disclose in an effective and timely manner inside information which they possess in respect of business or facilities which the market participant concerned, or its parent undertaking or related undertaking, owns or controls or for whose operational matters that market participant or undertaking is responsible, either in whole or in part. Such disclosure shall include information relevant to the capacity and use of facilities for production, storage, consumption or transmission of electricity or natural gas or related to the capacity and use of LNG facilities, including planned or unplanned unavailability of these facilities. | ПЗЕ |  Article 273 Paragraph 5 Article 56 Paragraph 6 | (5) The Energy Regulatory Commission shall adopt a rulebook on supervision, which shall prescribe in more detail the preparation and conduct of supervision. Article 56(6) The participants referred to in paragraph (4) items 1, 2, 3, 4 and 5 of this Article shall be obliged to submit reports to the Energy Regulatory Commission, as well as to publish internal information regarding their capacities and operations on the wholesale markets for energy products.  | Partially compliant | It will be fully compliant by by adopting another legal regulation in the field of energy | Within nine months from the date of entry into force of this law. |  |
|  Article 4 Paragraph (2) | A market participant may under its own responsibility exceptionally delay the public disclosure of inside information so as not to prejudice its legitimate interests provided that such omission is not likely to mislead the public and provided that the market participant is able to ensure the confidentiality of that information and does not make decisions relating to trading in wholesale energy products based upon that information. In such a situation the market participant shall without delay provide that information, together with a justification for the delay of the public disclosure, to <…> the relevant national regulatory authority <…>. | ПЗЕ |  Article 55Paragraph 3  Article 273 Paragraph 5 | (3)The Energy Regulatory Commission shall adopt a rulebook on the manner and procedure for monitoring the operation of energy markets (5) The Energy Regulatory Commission shall adopt a rulebook on supervision, which shall prescribe in more detail the preparation and conduct of supervision. | Partially compliant  | It will be fully compliant by by adopting another legal regulation in the field of energy | Within nine months from the date of entry into force of this law. |  |
|  Article 4 Paragraph (3) | 3. Whenever a market participant or a person employed by, or acting on behalf of, a market participant discloses inside information in relation to a wholesale energy product in the normal exercise of his employment, profession or duties as referred to in point (b) of Article 3(1), that market participant or person shall ensure simultaneous, complete and effective public disclosure of that information. In the event of a non- intentional disclosure the market participant shall ensure complete and effective public disclosure of the information as soon as possible following the non-intentional disclosure. This paragraph shall not apply if the person receiving the information has a duty of confidentiality, regardless of whether such duty derives from law, regulation, articles of association or a contract. | ПЗЕ |  Article 273Paragraph 5 | (5) The Energy Regulatory Commission shall adopt a rulebook on supervision, which shall prescribe in more detail the preparation and conduct of supervision. | Делумно усогласен  | It will be fully compliant by by adopting another legal regulation in the field of energy | Within nine months from the date of entry into force of this law. |  |
|  Article 4 Paragraph (4) | 4. The publication of inside information, including in aggregated form, in accordance with Regulation (EC) No 714/2009 or (EC) No 715/2009, or guidelines and network codes adopted pursuant to those Regulations constitutes simultaneous, complete and effective public disclosure.  | ПЗЕ |  Article 273Paragraph 5 | (5) The Energy Regulatory Commission shall adopt a rulebook on supervision, which shall prescribe in more detail the preparation and conduct of supervision. | Partially compliant  | It will be fully compliant by by adopting another legal regulation in the field of energy | Within nine months from the date of entry into force of this law. |  |
|  Article 4 Paragraph (5) | 5. Where an exemption from the obligation to publish certain data has been granted to a transmission system operator, in accordance with Regulation (EC) No 714/2009 or (EC) No 715/2009, that operator is thereby also exempted from the obligation set out in paragraph 1 of this Article in respect of that data.  | ПЗЕ |  Article 55Paragraph 3) | (3) The Energy Regulatory Commission shall adopt a rulebook on the manner and procedure for monitoring the operation of energy markets.  | Partially compliant  | It will be fully compliant by by adopting another legal regulation in the field of energy | Within nine months from the date of entry into force of this law. |  |
|  Article 4 Paragraph (6) | 6. Paragraphs 1 and 2 are without prejudice to the obli gations of market participants under Directives 2009/72/EC and 2009/73/EC, and Regulations (EC) No 714/2009 and (EC) No 715/2009, including guidelines and network codes adopted pursuant to those Directives and Regulations, in particular regarding the timing and method of publication of information. | ПЗЕ |  Article 273 (Paragraph 5) | (5) The Energy Regulatory Commission shall adopt a rulebook on supervision, which shall prescribe in more detail the preparation and conduct of supervision. | Делумно усогласен | It will be fully compliant by by adopting another legal regulation in the field of energy | Within nine months from the date of entry into force of this law. |  |
|  Article 4 Paragraph (7) | 7. Paragraphs 1 and 2 are without prejudice to the right of market participants to delay the disclosure of sensitive information relating to the protection of critical infrastructure <…> and the assessment of the need to improve their protection, if it is classified in their country according to national legislation | ПЗЕ |  Article 273Paragraph 5 | (5) The Energy Regulatory Commission shall adopt a rulebook on supervision, which shall prescribe in more detail the preparation and conduct of supervision. | Partially compliant | It will be fully compliant by by adopting another legal regulation in the field of energy | Within nine months from the date of entry into force of this law. |  |
|  Article 5 | Any engagement in, or attempt to engage in, market manipu lation on wholesale energy markets shall be prohibited.  | ПЗЕ |  Article 56Paragraph 2 | (2) Manipulation on wholesale markets for energy products shall be prohibited, and manipulation shall be deemed to be: | Fully compliant |  |  |  |
|  Article 6 Paragraph 1 Point а | 1. The Commission shall be empowered to adopt delegated acts in accordance with Article 20 in order to: (a) align the definitions set out in points (1), (2), (3) and (5) of Article 2 for the purpose of ensuring coherence with other relevant Union legislation in the fields of financial services and energy; and |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 6 Paragraph 1 Point б | (b) update those definitions for the sole purpose of taking into account future developments on wholesale energy markets. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 6 Paragraph 2 Point а | 2. The delegated acts referred to in paragraph 1 shall take into account at least: (a) the specific functioning of wholesale energy markets, including the specificities of electricity and gas markets, and the interaction between commodity markets and derivative markets; |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 6 Paragraph 2 Point б | (b) the potential for manipulation across borders, between elec tricity and gas markets and across commodity markets and derivative markets; |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 6 Paragraph 2 Point в | (c) the potential impact on wholesale energy market prices of actual or planned production, consumption, use of trans mission, or use of storage capacity; and |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 6 Paragraph 2 Point г | (d) network codes and framework guidelines adopted in accordance with Regulations (EC) No 714/2009 and (EC) No 715/2009. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 7 Paragraph (1)  | 1. National regulatory authorities shall monitor trading activity in wholesale energy products to detect and prevent trading based on inside information and market manipulation in their national market. For this purpose they may use the user manuals developed by the Agency for the Cooperation of Energy Regulators and may adopt rules on related data provision requirements from market participants. <…> | ПЗЕ |  Article 270Paragraph 5 | (5) The Energy Regulatory Commission shall supervise the implementation of the provisions of this Law relating to ensuring integrity and transparency, i.e. prohibition of trading based on inside information and prohibition of market manipulation and/or attempted manipulation of the wholesale energy product markets. | Пополно усогласен  |  |  |  |
|  Article 7 Paragraph (2) | 2. National regulatory authorities shall cooperate at regional level via the Energy Community Regulatory Board in carrying out the monitoring of wholesale energy markets referred to in paragraph 1. <…> Contracting Parties may provide for their national competition authority or a market monitoring body established within that authority to carry out market monitoring with the national regulatory authority. In carrying out such market monitoring, the national competition authority or the market monitoring body shall have the same rights and obligations as the national regulatory authority pursuant to the first subparagraph of this paragraph, the second sentence of the second subparagraph of paragraph 3 of this Article, the second sentence of Article 4(2) <…> and Article 16. | ПЗЕЗЕ |  Article 26 Paragraph 2 Article 30Paragraph 8 Article 21 Paragraph 2 Article 27 Paragraph 2 Article 60 Paragraph 1 | (2)In exercising the competence referred to in paragraph (1) of this Article, the Ministry shall cooperate with the competent bodies for preparation for dealing with risks in the electricity sector of the counter parties of the Energy Community or the Member States of the European Union.(8) The plan referred to in paragraph (7) of this Article shall consist of measures to be taken in the Republic of North Macedonia, as well as measures that, in cooperation with the competent bodies for risk management of the Contracting Parties to the Energy Community and the Member States of the European Union, may be taken at bilateral and regional level.(2) The Ministry shall submit the plan referred to in paragraph (1) of this Article to the Commission for Protection of Competition and to the Energy Community Secretariat for an opinion. If the Ministry deems it necessary or upon request from the Energy Community Secretariat, it shall make changes to the plan.(2) The measures and activities referred to in paragraph (1) of this Article shall be implemented by the Ministry in cooperation and coordination with the Energy Regulatory Commission and in consultation and cooperation with the operators of the relevant electricity and gas transmission and distribution systems, electricity market operators, electricity producers, the universal supplier and other electricity suppliers and traders, as well as with ENTSO-E and the Regional Coordination Center. (1)The Energy Regulatory Commission shall monitor activities regarding the coordinated calculation and allocation of cross-border capacities and the coordinated management of electricity transmission systems, shall implement the decisions of the ECRB and ACER and cooperate with the competent regulatory bodies from the region of coordinated capacity calculation or the region of coordinated management of the electricity transmission system, in accordance with ratified international treaties.  | Partially compliant  | It will be fully compliant by by adopting another legal regulation in the field of energy | Within nine months from the date of entry into force of this law. |  |
|  Article 7 Paragraph (3) | 3. National regulatory authorities shall at least on an annual basis submit a report to the Secretariat on their activities under this Regulation and make this report publicly available. <…>  | ПЗЕ |  Article 13Paragraph 7 Article 18 Paragraph ови 2 и 3 | (7) In cooperation with the ministry competent for the affairs in environment and the ministry competent for agriculture, forestry and water management, and, if necessary, other authorities competent for implementation of the Integrated National Energy and Climate Plan, and by using a special electronic platform established by law, the Ministry shall monitor the implementation and shall report on the implementation of all five dimensions of the European Union covered by the Integrated National Energy and Climate Plan every two years for the previous two calendar years, in the electronic platform in accordance with the obligations undertaken within the Energy Community, no later than 15 March of the current year.(2) No later than 31 July every other year, the Ministry shall prepare and publish a report on the security of electricity supply, which shall be submitted to the Energy Community Secretariat. The report shall include data relating to: 1.balance between supply and demand in the electricity market in the Republic of North Macedonia; 2.level of future demand expected and the additional electricity generation and storage capacities anticipated, which are under construction or planned to be built;3.quality and level of network maintenance; 4.measures to cover peak consumption and address shortages among one or more customers;5.principles for congestion management, in accordance with this Law and the regulations adopted on the basis of this Law; 6.all existing electricity transmission and interconnection lines, all planned electricity transmission and interconnection lines for the following 10 years, as well as all ongoing activities for the construction of new electricity transmission and interconnection lines planned for the following five years;7.expected trends in electricity generation, supply, cross-border exchange and consumption and demand-side management measures; 8. review of adequacy and flexibility for the current year, and9.national, regional, European and global objectives for sustainable development in accordance with national strategic and planning documents, as well as the obligations of the Republic of North Macedonia undertaken with ratified international treaties. (3)No later than 31 July every year, the Ministry shall prepare and publish a report on the security of gas supply, which shall be submitted to the Energy Community Secretariat. The report shall include data relating to: 1.balance between supply and demand in the gas market in the Republic of North Macedonia;2.level of expected future demand and available gas reserves; 3.anticipated additional capacities planned to be built or whose construction is in progress; 4.quality and level of network maintenance;5.measures to cover peak consumption and address shortages among one or more customers;6.impact of measures taken to ensure security of gas supply on competition and the position of the various participants in the gas market; 7.duration of long-term gas supply contracts entered into with undertakings established and registered in the Republic of North Macedonia, and in particular their remaining duration, based on information provided by the relevant undertakings, not including commercially sensitive information;8.degree of liquidity in the gas market;9.determining measures for fulfilling the supply criterion for certain categories of customers, especially for protected customers referred to in Article 37 paragraph (2) of this Law, and10.measures to provide appropriate mechanisms to support new investments in gas transmission and distribution systems, in accordance with the provisions of this Law.  | Fully compliant |  |  |  |
|  Article 7 Paragraph (4) | 4. The Secretariat shall report to the Ministerial Council on an annual basis including but not limited to the information provided under paragraph (3). |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 8Paragraph 1 | 1. 1. Market participants, or a person or authority listed in points (b) to (f) of paragraph 4 on their behalf, shall provide the Agency with a record of wholesale energy market trans actions, including orders to trade. The information reported shall include the precise identification of the wholesale energy products bought and sold, the price and quantity agreed, the dates and times of execution, the parties to the transaction and the beneficiaries of the transaction and any other relevant information. While overall responsibility lies with market participants, once the required information is received from a person or authority listed in points (b) to (f) of paragraph 4, the reporting obligation on the market participant in question shall be considered to be fulfilled.
 |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 8Paragraph 2 Point а | 2. The Commission shall, by means of implementing acts: (a) draw up a list of the contracts and derivatives, including orders to trade, which are to be reported in accordance with paragraph 1 and appropriate de minimis thresholds for the reporting of transactions where appropriate; |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 8Paragraph 2 Point б | (b) adopt uniform rules on the reporting of information which is to be provided in accordance with paragraph 1; |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 8Paragraph 2 Point в | (c) lay down the timing and form in which that information is to be reported. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 21(2). They shall take account of existing reporting systems. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 8Paragraph 3 | 3. Persons referred to in points (a) to (d) of paragraph 4 who have reported transactions in accordance with Directive 2004/39/EC or applicable Union legislation on derivative trans actions, central counterparties and trade repositories shall not be subject to double reporting obligations relating to those trans actions. Without prejudice to the first subparagraph of this paragraph, the implementing acts referred to in paragraph 2 may allow organised markets and trade matching or trade reporting systems to provide the Agency with records of wholesale energy transactions. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 8 Paragraph 4 Point а | 4. For the purposes of paragraph 1, information shall be provided by: (a) the market participant; |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 8Paragraph 4 Point б | (b) a third party acting on behalf of the market participant; |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 8Paragraph 4 Point в | (c) a trade reporting system;  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 8Paragraph 4 Point г | (d) an organised market, a trade-matching system or other person professionally arranging transactions;  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 8Paragraph 4 Point д | (e) a trade repository registered or recognised under applicable Union legislation on derivative transactions, central counterparties and trade repositories; or  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 8Paragraph 4 Point ѓ | (f) a competent authority which has received that information in accordance with Article 25(3) of Directive 2004/39/EC or ESMA when it has received that information in accordance with applicable Union legislation on derivative transactions, central counterparties and trade repositories. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 8Paragraph 5 | 5. Market participants shall provide the Agency and national regulatory authorities with information related to the capacity and use of facilities for production, storage, consumption or transmission of electricity or natural gas or related to the capacity and use of LNG facilities, including planned or unplanned unavailability of these facilities, for the purpose of monitoring trading in wholesale energy markets. The reporting obligations on market participants shall be minimised by collecting the required information or parts thereof from existing sources where possible.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 8Paragraph 6 Point а | 6. The Commission shall, by means of implementing acts: (a) adopt uniform rules on the reporting of information to be provided in accordance with paragraph 5 and on appro priate thresholds for such reporting where appropriate;  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 8Paragraph 6 Point б | (b) lay down the timing and form in which that information is to be reported. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 21(2). They shall take account of existing reporting obligations under Regu lations (EC) No 714/2009 and (EC) No 715/2009. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 9 Paragraph (1) | 1. Market participants entering into transactions with wholesale energy products or expressing interest to enter into such transactions through orders to trade <…> shall register with the national regulatory authority in the Contracting Party where the delivery of the wholesale energy products takes or will take place. For the purpose of registration, national regulatory authorities shall apply the registration format developed by the Agency for the Cooperation of Energy Regulators under Regulation No 1227/2011. The Energy Community Regulatory Board shall make available an online compilation of all national registrations in the Contracting Parties. <…> The registration of market participants is without prejudice to obligations to comply with applicable trading and balancing rules. | ПЗЕ |  Article 56Paragraph 4 и 5 | (4)Participant in the wholesale energy markets for energy products shall be any entity who carries out transactions or gives orders to carry out transactions on those markets, and in particular:(5)The participants referred to in paragraph (4), items 1, 2, 3, 4 and 5 of this Article shall be obliged to submit a request for registration in the register of participants in the wholesale market for energy products established and kept by the Energy Regulatory Commission.  | Partially compliant | It will be fully compliant by by adopting another legal regulation in the field of energy | Within nine months from the date of entry into force of this law. |  |
|  Article 9 Paragraph (2)  | 2. Not later than 6 months after the deadline for national transposition of this Regulation in the Energy Community, national regulatory authorities shall establish national registers of market participants which they shall keep up to date. The register shall give each market participant a unique identifier and shall contain sufficient information to identify the market participant, including relevant details relating to its value added tax number, its place of establishment, the persons responsible for its operational and trading decisions, and the ultimate controller or beneficiary of the market participant’s trading activities. National regulatory authorities shall apply the register format developed by the Agency for the Cooperation of Energy Regulators under Article 9(3) of Regulation No 1227/2011 | ПЗЕ |  Article 114 Paragraph 2Point 6  | 6. preparation of daily and monthly market plans;; | Partially compliant | It will be fully compliant by by adopting another legal regulation in the field of energy | Within nine months from the date of entry into force of this law. |  |
|  Article 9 Paragraph (3)  | 3. National regulatory authorities shall transmit the information in their national registers to the Energy Community Regulatory Board <…>. Based on the information provided by national regulatory authorities the Energy Community Regulatory Board shall establish a central register of market participants. National regulatory authorities and other relevant authorities shall have access to this register. Subject to Article 17, the Energy Community Regulatory Board may decide to make the central register, or extracts thereof, publicly available provided that commercially sensitive information on individual market participants is not disclosed. | ПЗЕ |  Article 273 (Paragraph 5) | (5) The Energy Regulatory Commission shall adopt a rulebook on supervision, which shall prescribe in more detail the preparation and conduct of supervision. | Partially compliant  | It will be fully compliant by by adopting another legal regulation in the field of energy | Within nine months from the date of entry into force of this law. |  |
|  Article 9 Paragraph (4)  | 4. Market participants referred to in paragraph 1 of this Article shall submit the registration form to the national regulatory authority prior to entering into a transaction with wholesale energy products <…>. | ПЗЕ |  Article 56 Paragraph 5 | (5)The participants referred to in paragraph (4), items 1, 2, 3, 4 and 5 of this Article shall be obliged to submit a request for registration in the register of participants in the wholesale market for energy products established and kept by the Energy Regulatory Commission.  | Делумно усогласен | It will be fully compliant by by adopting another legal regulation in the field of energy | Within nine months from the date of entry into force of this law. |  |
|  Article 9 Paragraph (5) | 5. Market participants referred to in paragraph 1 shall communicate promptly to the national regulatory authority any change which has taken place as regards the information provided in the registration form. | ПЗЕ |  Article 56Paragraph 6 | (6)The participants referred to in paragraph (4) items 1, 2, 3, 4 and 5 of this Article shall be obliged to submit reports to the Energy Regulatory Commission, as well as to publish internal information regarding their capacities and operations on the wholesale markets for energy products.  | Partially compliant | It will be fully compliant by by adopting another legal regulation in the field of energy | Within nine months from the date of entry into force of this law. |  |
|  Article 10 | 1. The Agency shall establish mechanisms to share information it receives in accordance with Article 7(1) and Article 8 with national regulatory authorities, competent financial authorities of the Member States, national competition authorities, ESMA and other relevant authorities. Before estab lishing such mechanisms, the Agency shall consult with those authorities. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 10 Paragraph 2 | 2. The Agency shall give access to the mechanisms referred to in paragraph 1 only to authorities which have set up systems enabling the Agency to meet the requirements of Article 12(1) |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 10 Paragraph 3 | 3. Trade repositories registered or recognised under applicable Union legislation on derivative transactions, central counterparties and trade repositories shall make relevant information regarding wholesale energy products and derivatives of emissions allowances collected by them available to the Agency. ESMA shall transmit to the Agency reports of transactions in wholesale energy products received pursuant to Article 25(3) of Directive 2004/39/EC and under applicable Union legislation on derivative transactions, central counterparties and trade reposi tories. Competent authorities receiving reports of transactions in wholesale energy products received pursuant to Article 25(3) of Directive 2004/39/EC shall transmit those reports to the Agency. The Agency and authorities responsible for overseeing trading in emissions allowances or derivatives relating to emissions allowances shall cooperate with each other and establish appro priate mechanisms to provide the Agency with access to records of transactions in such allowances and derivatives where those authorities collect information on such transactions. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 11 | This Regulation shall be without prejudice to the obligations of Contracting Parties and national regulatory authorities to preserve the confidentiality of commercially sensitive information laid down in national legislation. <…> | ПЗЕ |  Article 208 Paragraph 7 | (7) The Energy Regulatory Commission shall keep official records of the communication with the Energy Community Secretariat in relation to the procedure for certification of the gas transmission system operator. The official records shall be made available to the gas transmission system operator requesting certification, as well as to the public sector institutions concerned. The Energy Regulatory Commission shall be obliged to keep commercially sensitive data confidential. | Partially compliant  | It will be fully compliant by by adopting another legal regulation in the field of energy | Within nine months from the date of entry into force of this law. |  |
|  Article 12 Paragraph (1) | 1. The national regulatory authorities shall ensure the confidentiality, integrity and protection of the information received pursuant to Article 4(2) <…>. The national regulatory authorities shall take all necessary measures to prevent any misuse of, and unauthorised access to, the information maintained in its systems. National regulatory authorities, <…>, national competition authorities, <…> and other relevant authorities shall ensure the confidentiality, integrity and protection of the information which they receive pursuant to Articles 4(2), 7(2) <…> and shall take steps to prevent any misuse of such information. <…>  | ПЗЕ |  Article 137Paragraph 7 | (7) The Energy Regulatory Commission shall keep official records of the communication made with the Energy Community Secretariat in relation to the procedure for certification of the electricity transmission system operator. The official records shall be made available to the electricity transmission system operator requesting certification and to the public sector institutions concerned. The Energy Regulatory Commission shall be obliged to keep commercially sensitive data confidential. | Partially compliant | It will be fully compliant by by adopting another legal regulation in the field of energy | Within nine months from the date of entry into force of this law. |  |
|  Article 12 Paragraph (2)  | 2. Subject to Article 17, the national regulatory authorities may decide to make publicly available parts of the information which it possesses, provided that commercially sensitive information on individual market participants or individual transactions or individual market places are not disclosed and cannot be inferred. | ПЗЕ |  Article 195 Paragraph 4 | (4) The Energy Regulatory Commission may decide to provide gas market participants with access to the records referred to in paragraph (3) of this Article, provided that commercially sensitive information on individual market participants or individual transactions is not disclosed. | Fully compliant |  |  |  |
|  Article 12 Paragraph (3) | (3) The national regulatory authorities shall make its commercially non-sensitive trade database available for scientific purposes, subject to confidentiality requirements. Information shall be published or made available in the interest of improving transparency of wholesale energy markets and provided it is not likely to create any distortion in competition on those energy markets. The national regulatory authorities shall disseminate information in a fair manner according to transparent rules which it shall draw up and make publicly available | ПЗЕ |  Article 69Paragraph 7 Point 3 Article 137Paragraph 7 | 3. the manner and procedure for publishing public information about its operation and the acts adopted. (7) The Energy Regulatory Commission shall keep official records of the communication made with the Energy Community Secretariat in relation to the procedure for certification of the electricity transmission system operator. The official records shall be made available to the electricity transmission system operator requesting certification and to the public sector institutions concerned. The Energy Regulatory Commission shall be obliged to keep commercially sensitive data confidential. | Делумно усогласен  | It will be fully compliant by by adopting another legal regulation in the field of energy | Within nine months from the date of entry into force of this law. |  |
|  Article 13 Paragraph (1)  | 1. National regulatory authorities shall ensure that the prohibitions set out in Articles 3 and 5 and the obligation set out in Article 4 are applied. Each Contracting Party shall ensure that its national regulatory authorities have the investigatory and enforcement powers necessary for the exercise of that function <…>. Those powers shall be exercised in a proportionate manner. Those powers may be exercised: (a) directly; ((b) in collaboration with other authorities; or (c) by application to the competent judicial authorities. Where appropriate, the national regulatory authorities may exercise their investigatory powers in collaboration with organised markets, trade-matching systems or other persons professionally arranging transactions <…> | ПЗЕПЗЕ |  Article 46Paragraph 1 и 2 Article 55 Paragraph 1Point 1, 2 и 3 | (1)Energy Regulatory Commission shall be an independent and sole regulatory body that regulates and controls the manner of performing energy activities under this Law, as well as other activities determined by law. (2)Energy Regulatory Commission shall be independent in its operations and decision-making and shall exercise its competence in the regulation of energy activities in the framework established by this and other laws and regulations adopted on the basis of law and in accordance with the principles of fairness, transparency and non-discrimination, applying the best international practices and experiences. .  (1) The Energy Regulatory Commission shall monitor and supervise the operation of energy markets in order to: 1.strengthen the efficiency, competitiveness, integrity and transparency of energy markets; 2.detect irregularities, distortion of competition and forms of unfair competition in the market, as well as other activities in the energy markets contrary to the laws, other regulations and obligations set out in the licenses for carrying out energy activities, and3.detect and prevent trading in energy products on the wholesale market based on inside information and manipulation of wholesale energy products markets, including attempted manipulation of wholesale energy products markets. | Fully compliant  |  |  |  |
|  Article 13 Paragraph (2) | 2. The investigatory and enforcement powers referred to in paragraph 1 shall be limited to the aim of the investigation. They shall be exercised in conformity with national law and include the right to: (a) have access to any relevant document in any form, and to receive a copy of it; (b) demand information from any relevant person, including those who are successively involved in the transmission of orders or conduct of the operations concerned, as well as their principals, and, if necessary, the right to summon and hear any such person or principal; (c) carry out on-site inspections; (d) require existing telephone and existing data traffic records; (e) require the cessation of any practice that is contrary to this Regulation or delegated acts or implementing acts adopted on the basis thereof; (f) request a court to freeze or sequester assets; (g) request a court or any competent authority to impose a temporary prohibition of professional activity. | ПЗЕПЗЕ |  Article 55 Paragraph 3 и 4 Article 67Paragraph 1, Paragraph 2Point 1.,2. 3Paragraph 3 и 4 | (3) The Energy Regulatory Commission shall adopt a rulebook on the manner and procedure for monitoring the operation of energy markets. (4)Based on the data and information obtained from monitoring the conditions of the energy markets in the Republic of North Macedonia, the Energy Regulatory Commission shall establish and maintain a database necessary for monitoring the operation of the markets, shall prepare and publish recommendations regarding the harmonisation of prices on a market basis and a report on the conditions and operation of the energy markets as an integral part of the report referred to in Article 72 of this Law.(1)In order to carry out the tasks within its competence, the Energy Regulatory Commission shall adopt: 1. rulebooks and rules by which it shall prescribe the matters in its competence in accordance with this Law;2. decisions by which it shall:2.1. decide on individual matters in accordance with this Law and the regulations adopted in accordance with this Law;2.2. approve rules, plans and programmes adopted by the relevant operators, and2.3. order or prohibit certain conduct from entities carrying out energy activity, in order to ensure security of energy supply and/or efficient competition in the relevant energy markets; 3. instructions by which it shall indicate to entities carrying out energy activity the best practices for the performance of their legally established obligations, especially in relation to the provision of public service, security of supply, protection of customers and users of public service, as well as increasing the efficiency of their operations, and4. decisions by which it shall decide on other issues within its competence and on issues concerning its internal operations. (2) In the procedure for making decisions and resolutions, the Energy Regulatory Commission shall appropriately apply the Law on General Administrative Procedure, unless otherwise regulated by this Law.(3) The rulebooks, rules, decisions and resolutions of the Energy Regulatory Commission shall be fully rationaled, justified and based on fair and transparent criteria and cannot be subject to veto or revision by another state body. (4) The acts referred to in paragraph (1), items 1 and 2 of this Article shall be published in the "Official Gazette of the Republic of North Macedonia" and on the Energy Regulatory Commission’s website, and the acts referred to in paragraph (1), items 3 and 4 of this Article shall be published on the Energy Regulatory Commission’s website.  | Partially compliant | It will be fully compliant by by adopting another legal regulation in the field of energy | Within nine months from the date of entry into force of this law. |  |
|  Article 14 | Member States shall ensure that suitable mechanisms exist at national level under which a party affected by a decision of the regulatory authority has a right of appeal to a body independent of the parties involved and of any government. | ПЗЕ |  Article 59 Paragraph 3 | (3)Any entity carrying out energy activity and the Energy Regulatory Commission, to which the ACER decision referred to in paragraph (1) of this Article applies, may file an appeal in accordance with the decision’s legal remedy. | Fully compliant |  |  |  |
|  Article 15 | Any person professionally arranging transactions in wholesale energy products who reasonably suspects that a transaction might breach Article 3 or 5 shall notify the national regulatory authority without further delay. Persons professionally arranging transactions in wholesale energy products shall establish and maintain effective arrangements and procedures to identify breaches of Article 3 or 5. | ПЗЕ |  Article 56Paragraph 7  | (7) If an entity which, within the performance of its activity, mediates in negotiating transactions with energy products on wholesale energy markets suspects that a certain transaction may constitute trading based on inside information, market manipulation or attempted market manipulation, it shall be obliged to notify the Energy Regulatory Commission thereof. | Fully compliant |  |  |  |
|  Article 16 Paragraph (1)  | 1. The Energy Community Regulatory Board shall facilitate that national regulatory authorities carry out their tasks under this Regulation in a coordinated and consistent way. <…> National regulatory authorities shall cooperate <…> with each other, including at regional level via the Energy Community Regulatory Board for the purpose of carrying out their duties in accordance with this Regulation. National regulatory authorities <…> and the national competition authority in a Contracting Party may establish appropriate forms of cooperation in order to ensure effective and efficient investigation and enforcement and to contribute to a coherent and consistent approach to investigation, judicial proceedings and to the enforcement of this Regulation and relevant financial and competition law. | ПЗЕПЗЕ |  Article 46 Paragraph 3 Article 53Paragraph 1 Point 2. И 3. | (3)Energy Regulatory Commission shall be a non-profit body, which has the status of a legal entity, separate and functionally independent in terms of organization and decision-making from the state and local government bodies and the energy sector. (1)By exercising its competence established by this Law and other laws, and taking into account the objectives of energy policy, the Energy Regulatory Commission shall enable: 2.opening markets for all cutomers and suppliers in the Energy Community and the European Union; 3.removing restrictions on trade in electricity and gas, including ensuring adequate cross-border transmission capacities to meet demand and facilitating electricity and gas flows within the Energy Community and the European Union;  | Fully compliant |  |  |  |
|  Article 16 Paragraph (2)  | 2. National regulatory authorities shall without delay inform the Energy Community Regulatory Board and the Secretariat in as specific a manner as possible where they have reasonable grounds to suspect that acts in breach of this Regulation are being, or have been, carried out either in that Contracting Party or in another Contracting Party. Where a national regulatory authority suspects that acts which affect wholesale energy markets or the price of wholesale energy products in that Contracting Party are being carried out in another Contracting Party, it may request the Energy Community Regulatory Board and the Secretariat to ensure that the requirements of this Regulation are implemented in such Contracting Party <…>. | ПЗЕ |  Article 273 Paragraph 5 | (5) The Energy Regulatory Commission shall adopt a rulebook on supervision, which shall prescribe in more detail the preparation and conduct of supervision. | Partially compliant | It will be fully compliant by by adopting another legal regulation in the field of energy | Within nine months from the date of entry into force of this law. |  |
|  Article 16 Paragraph (3)  | 3. In order to ensure a coordinated and consistent approach to market abuse on wholesale energy markets national regulatory authorities shall inform the national competition authority of their Contracting Party, the Secretariat and the Energy Community Regulatory Board where they have reasonable grounds to suspect that acts are being, or have been, carried out on wholesale energy market which are likely to constitute a breach of competition law. | ПЗЕ |  Article 273 Paragraph 5 | (5) The Energy Regulatory Commission shall adopt a rulebook on supervision, which shall prescribe in more detail the preparation and conduct of supervision. | Partially compliant | It will be fully compliant by by adopting another legal regulation in the field of energy | Within nine months from the date of entry into force of this law. |  |
|  Article 16 Paragraph (4)  | 4. In order to carry out its functions under paragraph 1, where, inter alia, on the basis of initial assessments or analysis, the Agency suspects that there has been a breach of this Regulation, it shall have the power: (a) to request one or more national regulatory authorities to supply any information related to the suspected breach; (b) to request one or more national regulatory authorities to commence an investigation of the suspected breach, and to take appropriate action to remedy any breach found. Any decision as regards the appropriate action to be taken to remedy any breach found shall be the responsibility of the national regulatory authority concerned; (c) where it considers that the possible breach has, or has had, a cross-border impact, to establish and coordinate an inves tigatory group consisting of representatives of concerned national regulatory authorities to investigate whether this Regulation has been breached and in which Member State the breach took place. Where appropriate, the Agency may also request the participation of representatives of the competent financial authority or other relevant authority of one or more Member States in the investigatory group. |  |  |  | Not relevant for RNM |  |  | Оваа дредба се однесува на земјите Article ки на Европската Унија |
|  Article 16 Paragraph (5)  | 5. A national regulatory authority receiving a request for information under point (a) of paragraph 4, or receiving a request to commence an investigation of a suspected breach under point (b) of paragraph 4, shall immediately take the necessary measures in order to comply with that request. If that national regulatory authority is not able to supply the required information immediately, it shall without further delay notify the Agency of the reasons. By way of derogation from the first subparagraph, a national regulatory authority may refuse to act on a request where: (a) compliance might adversely affect the sovereignty or security of the Member State addressed; (b) judicial proceedings have already been initiated in respect of the same actions and against the same persons before the authorities of the Member State addressed; or (c) a final judgment has already been delivered in relation to such persons for the same actions in the Member State addressed. In any such case, the national regulatory authority shall notify the Agency accordingly, providing as detailed information as possible on those proceedings or the judgment.National regulatory authorities shall participate in an investi gatory group convened in accordance with point (c) of paragraph 4, rendering all necessary assistance. The investi gatory group shall be subject to coordination by the Agency. 6. The last sentence of Article 15(1) of Regulation (EC) No 713/2009 shall not apply to the Agency when carrying out its tasks under this Regulation. | ПЗЕ |  Article 273 Paragraph 5 | (5) The Energy Regulatory Commission shall adopt a rulebook on supervision, which shall prescribe in more detail the preparation and conduct of supervision. | Partially compliant | It will be fully compliant by by adopting another legal regulation in the field of energy | Within nine months from the date of entry into force of this law. |  |
|  Article 17 Paragraph (1)  | 1. Any confidential information received, exchanged or transmitted pursuant to this Regulation shall be subject to the conditions of professional secrecy laid down in paragraphs 2, 3 and 4. | ПЗЕ |  Article 273 Paragraph 5 | (5) The Energy Regulatory Commission shall adopt a rulebook on supervision, which shall prescribe in more detail the preparation and conduct of supervision. | Partially compliant | It will be fully compliant by by adopting another legal regulation in the field of energy | Within nine months from the date of entry into force of this law. |  |
|  Article 17 Paragraph (2) | 2. The obligation of professional secrecy shall apply to: (a) persons who work or who have worked for the Agency; (b) auditors and experts instructed by the Agency; (c) persons who work or who have worked for the national regulatory authorities or for other relevant authorities; (d) auditors and experts instructed by national regulatory authorities or by other relevant authorities who receive confidential information in accordance with this Regulation. | ПЗЕ |  Article 273 Paragraph 5 | (5) The Energy Regulatory Commission shall adopt a rulebook on supervision, which shall prescribe in more detail the preparation and conduct of supervision. | Partially compliant | It will be fully compliant by by adopting another legal regulation in the field of energy | Within nine months from the date of entry into force of this law. |  |
|  Article 17 Paragraph (3) | 3. Confidential information received by the persons referred to in paragraph 2 in the course of their duties may not be divulged to any other person or authority, except in summary or aggregate form such that an individual market participant or market place cannot be identified, without prejudice to cases covered by criminal law, the other provisions of this Regulation or other relevant Union legislation. | ПЗЕ |  Article 273 Paragraph 5 | (5) The Energy Regulatory Commission shall adopt a rulebook on supervision, which shall prescribe in more detail the preparation and conduct of supervision. | Partially compliant | It will be fully compliant by by adopting another legal regulation in the field of energy | Within nine months from the date of entry into force of this law. |  |
|  Article 17 Paragraph (4) | 4. Without prejudice to cases covered by criminal law, the national regulatory authorities, bodies or persons which receive confidential information pursuant to this Regulation may use it only in the performance of their duties and for the exercise of their functions. Other authorities, bodies or persons may use that information for the purpose for which it was provided to them or in the context of administrative or judicial proceedings specifically related to the exercise of those functions. The authority receiving the information may use it for other purposes, provided that the Energy Community Regulatory Board, national regulatory authorities, bodies or persons communicating information consent thereto. | ПЗЕ |  Article 273 Paragraph 5 | (5) The Energy Regulatory Commission shall adopt a rulebook on supervision, which shall prescribe in more detail the preparation and conduct of supervision. | Partially compliant | It will be fully compliant by by adopting another legal regulation in the field of energy | Within nine months from the date of entry into force of this law. |  |
|  Article 17 Paragraph (5) | 5. This Article shall not prevent an authority in a Member State from exchanging or transmitting, in accordance with national law, confidential information provided that it has not been received from an authority of another Member State or from the Agency under this Regulation. | ПЗЕ |  Article 273 Paragraph 5 Article 56 Paragraph 9 | (5) The Energy Regulatory Commission shall adopt a rulebook on supervision, which shall prescribe in more detail the preparation and conduct of supervision.(9)The regulation referred to in Article 55, paragraph (3) of this Law also prescribes the manner of recording participants in the wholesale energy product markets, determining the entities that are prohibited from trading based on inside information and the exceptions, the manner of publishing inside information, the type, content, form, manner and periods of submission and/or publication of the reports and data referred to in paragraph (6) of this Article. | Partially compliant | It will be fully compliant by by adopting another legal regulation in the field of energy | Within nine months from the date of entry into force of this law. |  |
|  Article 18 | The Contracting Parties shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, dissuasive and proportionate, reflecting the nature, duration and seriousness of the infringement, the damage caused to consumers and the potential gains from trading on the basis of inside information and market manipulation. The Contracting Parties shall notify those provisions to the Secretariat by the deadline for transposition of this Regulation in the Energy Community at the latest and shall notify it without delay of any subsequent amendment affecting them. Contracting Parties shall provide that the national regulatory authority may disclose to the public measures or penalties imposed for infringement of this Regulation unless such disclosure would cause disproportionate damage to the parties involved | ПЗЕ |  Article 76 Article 282 | (1) The Energy Regulatory Commission shall adopt a rulebook on licenses, which shall prescribe in more detail:1. conditions, manner and procedure for issuing, amending, extending, transferring, suspending, revoking or terminating the validity of licenses for carrying out energy activities and trial operation licenses issued for the operation of the energy facility, as well as the deadlines for undertaking certain actions in the appropriate procedure; 2. procedure for entry in the registry of foreign entities that may perform energy activities in the Republic of North Macedonia, as well as for suspending and terminating the decision for entry in the registry;(1) A fine in the amount of up to **10% of the total income** earned by the legal entity in the previous fiscal year in the energy activity for which it has been granted a license by the Energy Regulatory Commission **shall be imposed** for a misdemeanour committed by:1. an entity carrying out energy activity referred to in Article 54 paragraph (2) of this Law, if it fails to publish the act in the Official Gazette of the Republic of North Macedonia;2.a participant in wholesale markets referred to in Article 56 paragraph (4) of this Law, for engaging in insider trading on the wholesale electrical energy and gas markets (Article 56 paragraph (1));3.a participant in wholesale markets referred to in Article 56 paragraph (4) of this Law, for market manipulation on the wholesale electrical energy and gas markets (Article 56 paragraph (2));4. 4.a participant in wholesale markets referred to in Article 56 paragraph (4) of this Law, for attempting market manipulation on the wholesale electrical energy and gas markets (Article 56 paragraph (3));5. a participant in wholesale markets referred to in Article 56 paragraph (4) of this Law, if it fails to submit reports to the Energy Regulatory Commission or fails to publish complete and accurate inside information (Article 56 paragraph (6));6. an entity carrying out energy activity that fails to submit to the Energy Regulatory Commission the annual report as prescribed in Article 61 paragraph (9) of this Law;7.an entity carrying out energy activity that, upon requesting termination or upon having their licence revoked, fails to continue providing public or universal service in accordance with the measures for ensuring such service, or fails to continue earning revenue based on applicable prices and tariffs (Article 86 paragraph (5));(2) A fine in the amount of **1% of the total income** earned by the legal entity in the previous fiscal year in the energy activity for which it has been granted a licence by the Energy Regulatory Commission **shall be imposed** for a misdemeanour committed by a company: 1. that performs one or more regulated energy activities but fails to maintain separate accounting records for each regulated energy activity (Article 5 paragraph (1));2. that fails to submit to the Energy Regulatory Commission the information and data necessary for monitoring the operation of energy markets in the Republic of North Macedonia (Article 55 paragraph (6));3. that, as a participant in wholesale markets under Article 56 paragraph (4) of this Law, fails to apply for registration in the register established and maintained by the Energy Regulatory Commission (Article 56 paragraph (5)); 4.that, while mediating transactions with energy products on the markets, has reasonable suspicion that a certain transaction constitutes insider trading, market manipulation or an attempt thereof, and fails to notify the Energy Regulatory Commission accordingly (Article 56 paragraph (7)); 5. that has not established or does not apply effective mechanisms for identifying insider trading, market manipulation or attempted market manipulation (Article 56 paragraph (8));6. where operators of the electricity transmission and distribution systems, the NEMO, electricity suppliers, and electricity producers operating power plants with a total installed capacity equal to or greater than 200 MW, fail to apply cybersecurity measures and activities (Article 65 paragraphs (1) and (2));7. Entity that carries out energy activity that, within a set deadline, fails to submit to the Energy Regulatory Commission the required documents, data, and information (Article 66 paragraph (1));8. that, as a licence holder for performing energy activity, fails to submit an annual report to the Energy Regulatory Commission (Article 74 paragraph (12)); and 9. that, as a license holder for performing a regulated energy activity, temporarily ceases operation of the licensed activity without prior approval from the Energy Regulatory Commission (Article 83 paragraph (1)).(3) A fine in the amount of **EUR 700 to EUR 1,000 i**n denar equivalent **shall be imposed** for a misdemeanour committed by a company classified as a micro-trader, **EUR 1,500 to EUR 2,000** in denar equivalent **shall be imposed** for a misdemeanour committed by a small trader, **EUR 4,000 to EUR 6,000** in denar equivalent **shall be imposed** for a misdemeanour committed by a medium trader, and **EUR 7,000 to EUR 10,000** in denar equivalent **shall be imposed** for a misdemeanour committed by a large trader that: 1. fails to keep a copy and fails to make available for inspection the documents referred to in Article 5 paragraph (1) to the Energy Regulatory Commission (Article 5 paragraph (2));2. fails to submit audited annual financial statements for each regulated energy activity separately to the Energy Regulatory Commission and/or fails to publish them on its website (Article 5 paragraph (3));3. fails to submit other reports, accounts, and records upon request by the Energy Regulatory Commission (Article 5 paragraph (4));4. fails to implement the measures ordered by the decision adopted by the Energy Regulatory Commission (Article 57 paragraph (1));5. fails to comply with prices and tariffs established by decisions adopted by the Energy Regulatory Commission (Article 62 paragraph (9));6.врши енергетска дејност без да му биде издадена лиценца за вршење на дејноста ( Article 74 Paragraph (1)); и7. fails to fulfil its obligations stipulated in the issued energy activity licence, where no specific sanction is otherwise prescribed under the other misdemeanour provisions of this Law.(4) A fine of up to **EUR 5,000** in denar equivalent **shall be imposed** for the misdemeanours referred to in paragraph (1) of this Article on the responsible person in the company.(5) A fine of **EUR 2,500** in denar equivalent **shall be imposed** for a misdemeanour committed by a natural person who engages in insider trading, market manipulation or attempted manipulation on the wholesale electricity and gas markets (Article 56 paragraphs (1), (2), and (3)). (6) A fine of **EUR 1,500** in denar equivalent **shall be imposed** for a misdemeanour committed by a natural person for actions referred to in paragraph (2), items 4 and 5 of this Article.(7) A fine in the amount of EUR 100 in denar equivalent shall be imposed on the responsible person in a company classified as a micro-trader, a fine of EUR 300 in denar equivalent shall be imposed on the responsible person in a company classified as a small or medium trader, and a fine of EUR 500 in denar equivalent shall be imposed on the responsible person in a company classified as a large trader, for a misdemeanour under paragraphs (2) and (3) of this Article.(8) For misdemeanours under paragraphs (2) and (3) of this Article, a misdemeanour sanction of prohibition from performing a duty for a period of up to **six months may be imposed** on the responsible person in the company.(9) In addition to the fine referred to in paragraph (1) of this Article, a participant in wholesale markets under Article 56 paragraph (4) of this Law **may be imposed** a misdemeanour sanction of prohibition from performing the activity for a period of up to **two years** for the misdemeanours referred to in Article 56 paragraphs (1), (2), and (3) of this Law. | fully compliant |  |  |  |
|  Article 19 | In so far as is necessary to achieve the objectives set out in this Regulation and without prejudice to the respective competences of the Member States and the Union institutions, including the European External Action Service, the Agency may develop contacts and enter into administrative arrangements with super visory authorities, international organisations and the adminis trations of third countries in particular with those impacting the Union energy wholesale market in order to promote the harmonisation of the regulatory framework. Those arrangements shall not create legal obligations in respect of the Union and its Member States nor shall they prevent Member States and their competent authorities from concluding bilateral or multilateral arrangements with those supervisory authorities, international organisations and the administrations of third countries. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 20 Paragraph 1 | 1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 20 Paragraph 2 | 2. The power to adopt delegated acts referred to in Article 6 shall be conferred on the Commission for a period of 5 years from 28 December 2011. The Commission shall draw up a report in respect of the delegation of power not later than 9 months before the end of the 5-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than 3 months before the end of each period. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 20 Paragraph 3 | 3. The delegation of power referred to in Article 6 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 20 Paragraph 4 | 4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 20 Paragraph 5 | 5. A delegated act adopted pursuant to Article 6 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of 2 months of notification of that act to the European Parliament and to the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by 2 months at the initiative of the European Parliament or the Council. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 21 Paragraph 1 | 1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regu lation (EU) No 182/2011.  |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 21 Paragraph 2 | 1. 2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.
 |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |
|  Article 22 | This Regulation shall enter into force on the 20th day following its publication in the Official Journal of the European Union. Paragraph 1, the first subparagraph of paragraph 3, and paragraphs 4 and 5 of Article 8 shall apply with effect from 6 months after the date on which the Commission adopts the relevant implementing acts referred to in paragraphs 2 and 6 of that Article. This Regulation shall be binding in its entirety and directly applicable in all Member States. Done at Strasbourg, 25 October 2011. |  |  |  | Not relevant for RNM |  |  | This paragraph applies to the Member States of the European Union. |