

REMIT – No deal Brexit

This information is meant for guidance only. You should consider whether you need separate professional advice before making specific preparations.

Should the UK leave the EU without a deal, Ofgem will continue to monitor and enforce GB wholesale energy market integrity and transparency as it does currently. The obligation on market participants to publicly disclose inside information in an effective and timely manner, and the prohibitions on insider trading and market manipulation, will remain. Ofgem will continue to monitor, investigate and enforce breaches of integrity and transparency using its powers under Electricity and Gas (Market Integrity and Transparency) (Enforcement etc.) Regulations 2013.

REMIT carve-out: From cooperation with the Financial Conduct Authority (FCA) and HM Treasury, Ofgem also understands that the REMIT carve-out for wholesale energy products within MiFID II will be preserved domestically. This will mean that GB market participants will not face different regulatory requirements when trading domestically after EU exit.

Things to consider	
<p>Trading in wholesale energy products where delivery is in the UK</p>	<p>Market participants will not need to re-register with Ofgem in order to enter into transactions for wholesale energy products deliverable in GB after EU exit. Ofgem will recognise the registration of market participants currently registered with the Utility Regulator for Northern Ireland (UREGNI) or with a National Regulatory Authority (NRA) of an EU Member State.</p>
<p>Trading in wholesale energy products where delivery is in the EU</p>	<p>Market participants currently registered with Ofgem who wish to enter into transactions or place orders to trade in wholesale energy products where delivery is in the EU, will be required to re-register with a NRA of an EU Member State. They are advised to initiate this process now, if they have not already done so (using Change Member State in the Centralised European Register of Energy Market Participants (CEREMP)). Until the withdrawal of the UK from the EU, they will continue to be registered solely in the UK.</p> <p>ACER's guidance on the application of REMIT to non-EU market participants trading in EU wholesale energy markets and their reporting obligation under REMIT will apply to UK market participants trading in the EU following Brexit.</p>

Use of UK ACER code in the UK	<p>Market participants will be able to continue reporting with their UK ACER code until their de-registration in the UK is acknowledged in CEREMP, no later than the date in which the UK withdraws from the EU in a no deal scenario.</p> <p>Market Participants who are required to re-register should do so according to ACER's guidance.</p> <p>GB market participants re-registering with an EU NRA will be required to report trade and order data in relation to those transactions to ACER using their new registration code. Following re-registration, they can use their new registration code for the purposes of compliance both in GB and in the EU. In the event that there is a delay in receipt of new ACER codes, this will not present a REMIT compliance issue.</p>
Data collection	<p>REMIT transaction data related to GB wholesale markets will no longer be reported to ACER. Instead there will be a review period post EU Exit. Ofgem will consult fully with industry before implementing GB REMIT transaction reporting. During the review period, Ofgem will continue to monitor the market for possible breaches of market integrity using existing data. Following the review period, if appropriate, the trade data will be collected by Ofgem.</p> <p>In respect of market participants currently registered with Ofgem through the Central European Register of Energy Market Participants (CEREMP), Ofgem will ensure the migration of the relevant REMIT registration data from ACER's CEREMP to their own database.</p>

Relevant documents/information

[No-deal EU exit REMIT contingency arrangements](#)

[ACER's open letter](#)

[ACER guidance](#)

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