

## Committee on Technical Barriers to Trade

### NOTIFICATION

The following notification is being circulated in accordance with Article 10.6.

1.	Member to Agreement notifying: <u>THE NETHERLANDS</u> If applicable, name of local government involved (Articles 3.2 and 7.2):
2.	Agency responsible: Ministry of Economic Affairs Agency or authority designated to handle comments regarding the notification shall be indicated if different from above: National Enquiry Point - EC WTO-TBT Enquiry Point
3.	Notified under Article 2.9.2 [ X ], 2.10.1 [   ], 5.6.2 [   ], 5.7.1 [   ], other:
4.	Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Gas
5.	Title, number of pages and language(s) of the notified document: Rules Pertaining to the Transport and Delivery of Gas (Gas Act)
6.	<p>Description of content: In implementation of Directive 98/30/EC of the European Parliament and of the Council of the European Union concerning common rules for the internal market in natural gas, the Bill regulates access to gas transport networks. Gas transport companies transport gas on behalf of third parties on the basis of negotiated access and under objective and non-discriminatory conditions (Articles 5-8). With a view to the above, gas transport companies shall draft technical conditions regarding the connection to their network and shall publish indicative conditions and rates (Articles 3 and 4). The technical conditions are subject to notification. Gas companies shall keep separate accounts for the different functions (Article 22). The Director-General of the Dutch competition authority shall be appointed to settle any disputes (Articles 9 and 10). Secondly, the Bill regulates the delivery of gas to consumers which are not indicated as eligible customers (Article 18 Directive 98/30/EC). Distribution companies may only deliver to such consumers provided they are licensed (Articles 11-21). Thirdly, the Bill contains rules on energy-saving measures and the promotion of renewable energy and safety (Articles 29-31). In this respect, it is made possible to lay down measures to promote the production of gas from renewable sources by introducing "green-gas" certificates.</p> <p>It is not ruled out that the Bill contains technical regulations within the meaning of the Agreement on Technical Barriers to Trade. By way of indication, Articles 11, 16, 18, 29 and 30 can be noted.</p>
7.	Objective and rationale, including the nature of urgent problems where applicable: Insofar as Articles 11, 16, 18, 29 and 30 of the bill contain quantitative import restrictions or measures of equal effect, these measures are justified to protect environmental and consumer interests.

8.	Relevant documents: <ul style="list-style-type: none"><li>- Directive 98/30/EC;</li><li>- Electricity Act 1998, Articles 53 to 57</li></ul>
9.	Proposed date of adoption: 1 March 2000 Proposed date of entry into force: 1 June 2000
10.	Final date for comments: 17 February 1999
11.	Texts available from: National enquiry point [ X ] or address, e-mail and telefax number of the other body: