

Pursuant to Article 89 of the Treaty Establishing the Energy Community (Official Gazette of BiH – International Treaties, 09/06) and Articles 1 and 4 of the Law on Transmission of Electric Power, Regulator and System Operator of Bosnia and Herzegovina (Official Gazette of BiH, 7/02, 13/03, 76/09 and 1/11), at its session held on 12 February 2020, the State Electricity Regulatory Commission adopted a

DECISION

ON TRANSPOSITION OF THE REGULATION ON WHOLESALE ENERGY MARKET INTEGRITY AND TRANSPARENCY

I

This Decision defines the terms and conditions for transposition and implementation of Regulation (EU) No 1227/2011 of the European Parliament and of the Council of 25 October 2011 on wholesale energy market integrity and transparency as adapted to the Energy Community legal framework by Energy Community Ministerial Council Decision D/2018/10/MC-EnC of 29 November 2018, in the electricity sector.

II

The Regulation as adapted to the Energy Community legal framework pursuant to the Decision referred to in Point I shall be published in the languages officially used in Bosnia and Herzegovina on the internet site of the State Electricity Regulatory Commission at www.derk.ba.

III

The State Electricity Regulatory Commission shall adopt without delay an implementing act with the aim of ensuring wholesale energy market integrity and transparency. This act shall introduce common rules in terms of:

- definition of market abuse with regard to market manipulation, attempts to manipulate the market and insider trading,
- establishment of a new framework for the registration of market participants and wholesale market monitoring with the aim of detecting and preventing market manipulation and insider trading,
- introduction of the explicit prohibition of market abuse,
- cooperation with the Regulatory Board, Secretariat and other institutions of the Energy Community and Bosnia and Herzegovina.

IV

The act referred to in Point III of this Decision shall be prepared taking into consideration opinions and recommendations of the Competition Council of Bosnia and Herzegovina pursuant to the provisions of the Law on Competition (Official Gazette of BiH, 48/05, 76/07 and 80/09).

V

The final deadline for implementation of the acts referred to in point III of this Decision shall expire on 29 May 2020.

V

This Decision shall enter into force on the day of its adoption and it shall be published in the Official Gazette of BIH, the official gazettes of the Entities and Brčko District of Bosnia and Herzegovina.

Number: 04-28-2-437-4/19
12 February 2020
Tuzla

Chairman of the Commission
Suad Zeljković