

Independent Gas Transporters (IGTs) - Special Condition 2: IGT Regulatory Instructions and Guidance ('IGT RIGs')

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Introduction

This condition sets out the scope, content, and governance arrangements for the IGT Regulatory Instructions and Guidance ('IGT RIGs').

The IGT RIGs are the primary mechanism through which the Gas and Electricity Markets Authority ('Authority') directs licensees to collect, maintain, and provide the information required by the Authority to administer and monitor compliance with the special conditions of this licence and, where applicable, relevant published determinations.

Part A: The IGT RIGs

3. The Authority will issue and amend the IGT RIGs by direction.

4. The Authority will maintain a current version of the IGT RIGs on the Authority's website.

5. The IGT RIGs may make provision for:

- a) instructions and guidance on recording and providing specified information;
- b) instructions and guidance on the standards of accuracy and reliability that are applicable to the recording of specified information and the supporting commentary to enable the Authority to assess efficiency and delivery of value to consumers;
- c) requirements as to the form and manner in which, or the frequency in which, specified information must be recorded and provided to the Authority;
- d) provision about how the Authority intends to monitor, assess, and enforce compliance with the IGT RIGs.

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6. Before issuing new IGT RIGs or amending the IGT RIGs the Authority will publish on the Authority's website:

- (a) the proposed text of the new or amended IGT RIGs;
- (b) the date on which the Authority intends the new or amended IGT RIGs to come into effect;
- (c) the reasons for the new or amended IGT RIGs; and
- (d) period during which representations may be made on the new or amended IGT RIGs which will not be less than 28 days.

Part B: Compliance with the IGT RIGs

7. The licensee must comply with the IGT RIGs.

8. The licensee must have in place and maintain appropriate systems, processes, and procedures to enable it to:

- (a) estimate, measure, and record specified information; and
- (b) provide specified information to the Authority in accordance with the IGT RIGs.

9. The accounting records and other records kept by the licensee with respect to the specified information must be:

- (a) separately identified and reasonably attributed as between the licensee's business and the business of any affiliate or related undertaking of the licensee; and
- (b) maintained for a period of eight years, or such shorter period as set out in the IGT RIGs, from the date that they are made.

10. The licensee must take all reasonable steps to validate and check that the specified information is complete, reliable and meets the standards prescribed by the IGT RIGs.

11. The licensee must, on or before each submission date as outlined in the IGT RIGs, write to the Authority to confirm that, in its opinion, the specified information in respect of each regulatory reporting year i.e. from April – March meets the standards prescribed by the IGT RIGs.

12. Nothing in this condition requires the licensee to provide any documents or give any information that it could not be compelled to produce or give in evidence in civil proceedings before a court.

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Part C: Requirements for new or more detailed information

13. This Part C applies if any new or amended IGT RIGs have the effect of introducing a requirement to provide a new category of specified information; or an existing category of specified information to a greater level of detail, which has not previously been collected by the licensee, whether under the provisions of the IGT RIGs or otherwise.

14. Where this Part C applies, the licensee must provide the relevant category of specified information to the Authority where such data is available. In the absence of this data, the licensee may provide estimates only with the Authority's approval, and only in respect of such regulatory reporting years as are specified by the Authority.

15. The estimates that are mentioned in paragraph 14 of this condition may be derived from such other information available to the licensee as may be appropriate for that purpose.

Part D: Derogations

16. The licensee may apply to the Authority for a derogation relieving the licensee of its obligations under this condition to such extent, for such period of time, and subject to such conditions as may be specified by the Authority by direction after consulting the licensee.