



# 1 European Economic Area (EEA) legal issue

The EU codes/guidelines constitute legally binding regulations for all EU countries. They constitute legally binding regulations for all EEA countries, if deemed relevant according to the EEA-agreement and incorporated in accordance with national law. Sweden, Finland and Denmark are members of the EU, and Norway is an EEA country. In order for the codes to have legal effect in an EEA-country, the codes/guidelines must go through a formal national legal procedure. An EEA-country that has not (yet) made one of the codes/guidelines part of their internal legislation are not obliged to follow the codes/guidelines.

The SOA makes on numerous accounts references to specific articles in the codes/guidelines. As long as Norway has not made one or more of the codes/guidelines part of its internal legislation, Statnett is not obliged by national law to follow the Codes/guidelines. However, Statnett will nevertheless through the SOA agreement follow what is stated in the agreement and the relevant parts of the codes/guidelines – not because Statnett is obliged to by law, but because it is agreed among the TSOs that these rules shall apply between the TSOs, and constitute an integral part of the SOA.

According to Statnett's license as system operator in Norway, the regulator has to approve all material changes in the SOA. The regulator can approve all material changes unconditionally, or approve them on certain conditions.