

SCHEDULES

SCHEDULE 6

Article 71(1).

AMENDMENTS

The Post Office Act 1969 (c. 48)

In section 7(1A) after paragraph (cc) insert—

“(cd) a person holding a licence under Article 8(1)(c) of the Gas (Northern Ireland) Order 1996;”.

The Public Utilities (Emergency Powers) Act (Northern Ireland) 1972 (c. 2 (N.I.))

In section 1(2) for “undertakers as defined in Article 2(2) of the Gas (Northern Ireland) Order 1977” substitute “a licence holder within the meaning of Part II of the Gas (Northern Ireland) Order 1996”.

The Fair Trading Act 1973 (c. 41)

In section 16(1) after paragraph (c) add

“or

(d) is carried on in connection only with the conveyance or supply of gas by a licence holder within the meaning of Part II of the Gas (Northern Ireland) Order 1996;”.

In section 16(2B) after “1992” insert “or Part II of the Gas (Northern Ireland) Order 1996”.

In section 133(2)(a) after “the Director General of Electricity Supply for Northern Ireland” insert “or the Director General of Gas for Northern Ireland” and after “Electricity (Northern Ireland) Order 1992” insert “or the Gas (Northern Ireland) Order 1996”.

The Water and Sewerage Services (Northern Ireland) Order 1973 (NI 2)

In Article 57A(3) after sub-paragraph (bb) insert—

“(bbb) any holder of a licence under Article 8(1) of the Gas (Northern Ireland) Order 1996.”.

The Consumer Credit Act 1974 (c. 39)

In section 174(3)(a) after “Electricity (Northern Ireland) Order 1992” insert “or the Gas (Northern Ireland) Order 1996” and after “Director General of Electricity Supply for Northern Ireland” insert “or the Director General of Gas for Northern Ireland”.

The Restrictive Trade Practices Act 1976 (c. 34)

In section 41(1)(a) after “Director General of Electricity Supply for Northern Ireland” insert “or the Director General of Gas for Northern Ireland” and after “Electricity (Northern Ireland) Order 1992” insert “or the Gas (Northern Ireland) Order 1996”.

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The Rates (Northern Ireland) Order 1977 (NI 28)

After Article 39C insert—

“Rating of gas licence holders, etc.

39D.—(1) The following powers are exercisable by the Department for the purposes of any valuation list in force on or after the coming into operation of Part II of the Gas (Northern Ireland) Order 1996.

(2) The Department may by order determine what property occupied by an authorised person is to be treated as a hereditament for the purposes of this Order, and an order under this paragraph may—

- (a) determine that two or more separate properties occupied by an authorised person are to be treated for those purposes as a single hereditament; and
- (b) make provision with respect to the apportionment of the amount of the net annual value of that single hereditament among the districts of district councils.

(3) The Department may by order determine the net annual value of the hereditaments occupied by an authorised person or make provision for the manner in which the net annual value of such hereditaments is to be, or may be, determined, and an order under this paragraph may—

- (a) make provision with respect to the apportionment of the aggregate amount of the net annual value determined under the order among the districts of district councils;
- (b) provide for determining the net annual value of any hereditament by the application of different methods of valuation to different parts of the hereditament.

(4) An order under paragraph (2) or (3)—

- (a) may modify or repeal any provision of this Order;
- (b) may contain such incidental, supplementary or consequential provisions as the Department considers necessary or expedient for the purposes of the order;
- (c) shall be made only after consultation with such authorised persons, associations of district councils and district councils as the Department considers appropriate; and
- (d) shall be subject to affirmative resolution.

(5) In this Article “authorised person” means the holder of a licence or an exemption under Part II of the Gas (Northern Ireland) Order 1996.”.

The Pollution Control and Local Government (Northern Ireland) Order 1978 (NI 19)

In Article 24(1)—

- (a) in sub-paragraph (a) for “or both” substitute “or gas”;
- (b) in the words following sub-paragraph (c) for “or electricity” substitute “, electricity or gas”.

In Article 24(2) at the end add “or Part II of the Gas (Northern Ireland) Order 1996”.

The Estate Agents Act 1979 (c. 38)

In section 10(3)(a) after “Electricity (Northern Ireland) Order 1992” insert “or the Gas (Northern Ireland) Order 1996” and after “Director General of Electricity Supply for Northern Ireland” insert “or the Director General of Gas for Northern Ireland”.

The Competition Act 1980 (c. 21)

In section 19(2)(a) after “Director General of Electricity Supply for Northern Ireland” insert “or the Director General of Gas for Northern Ireland”.

In section 19(3) after paragraph (n) insert—

“(nn) the Gas (Northern Ireland) Order 1996;”.

The Telecommunications Act 1984 (c. 12)

In section 101(2)(b) after “Director General of Electricity Supply for Northern Ireland” insert “or the Director General of Gas for Northern Ireland”.

In section 101(3) after sub-paragraph (1) insert—

“(11) The Gas (Northern Ireland) Order 1996;”.

The Airports Act 1986 (c. 31)

In section 74(2)(a) after “Director General of Electricity Supply for Northern Ireland” insert “or the Director General of Gas for Northern Ireland”.

In section 74(3) after paragraph (m) insert—

“(mm) the Gas (Northern Ireland) Order 1996;”.

In section 62(2)(b) after “above” insert “or Article 8(1)(c) of the Gas (Northern Ireland) Order 1996”.

The Consumer Protection Act 1987 (c. 43)

In sections 10(7)(c) and 11(7)(c) at the end add “or under Article 8(1)(c) of the Gas (Northern Ireland) Order 1996”.

In section 38(3) after paragraph (n) insert—

“(nn) the Gas (Northern Ireland) Order 1996;”.

In section 38(6)(b) after “Director General of Electricity Supply for Northern Ireland” insert “or the Director General of Gas for Northern Ireland”.

The Consumer Protection (Northern Ireland) Order 1987 (NI 20)

In Article 29(3) after paragraph (m) insert—

“(mm) the Gas (Northern Ireland) Order 1996;”.

In Article 29(6)(b) after “Director General of Electricity Supply for Northern Ireland” insert “or the Director General of Gas for Northern Ireland”.

The Insolvency (Northern Ireland) Order 1989 (NI 19)

In Article 197(3) after sub-paragraph (a) insert—

“(aa) a supply of gas by the holder of a licence under Article 8 of the Gas (Northern Ireland) Order 1996;”.

In Article 343(4) after sub-paragraph (a) insert—

“(aa) a supply of gas by a holder of a licence under Article 8 of the Gas (Northern Ireland) Order 1996;”.

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The Planning (Northern Ireland) Order 1991 (NI 11)

In Article 2(2) insert at the appropriate place in alphabetical order—

““gas undertaker” means a holder of a licence under Article 8 of the Gas (Northern Ireland) Order 1996;”.

In Article 2(2) in the definition of “statutory undertaker” for “any undertaking for the supply of gas” substitute “a gas undertaker”.

In Article 22(2) after sub-paragraph (b) insert—

“(c) by a gas undertaker to lay pipes for the conveyance or supply of gas;”.

The Electricity (Northern Ireland) Order 1992 (NI 1)

In Article 61(2)(b) after head (xi) insert—

“(xii) The Director General of Gas for Northern Ireland;”.

In Article 61(3) at the end add—

“(t) the Gas (Northern Ireland) Order 1996.”.

The Offshore, and Pipelines, Safety (Northern Ireland) Order 1992 (NI 17)

In Article 4(3) for sub-paragraph (a) substitute—

“(a) in the Gas (Northern Ireland) Order 1996, Articles 50 to 54, 56 to 58, 60, 64 and 65, Part IV (so far as relating to any of those Articles) and Schedules 4 and 5;”.

In Article 4(4) in the definition of “gas” for the words from “means” onwards substitute “has the same meaning as in Part III of the Gas (Northern Ireland) Order 1996”.

The Roads (Northern Ireland) Order 1993 (NI 15)

In Article 2(2) in the definition of “statutory undertaker” for paragraph (c) substitute—

“(c) a holder of a licence under Article 8 of the Gas (Northern Ireland) Order 1996;”.

The Airports (Northern Ireland) Order 1994 (NI 1)

In Article 49(2)(a) after “the Director General of Electricity Supply for Northern Ireland” insert “, the Director General of Gas for Northern Ireland”.

In Article 49(3) at the end add—

“(q) the Gas (Northern Ireland) Order 1996.”.