



2011 CHAPTER 6

PART 1

GAS

*Standards of performance*

**Procedures for determining standards of performance**

4.—(1) Before prescribing standards of performance in regulations under section 1 the Authority shall—

- (a) arrange for such research as the Authority considers appropriate with a view to discovering the views of a representative sample of persons likely to be affected and consider the results; and
- (b) consult such persons or bodies as appear to the Authority to be representative of persons likely to be affected.

(2) Before determining standards of performance under section 3, the Authority shall—

- (a) arrange for such research as the Authority considers appropriate with a view to discovering the views of a representative sample of persons likely to be affected and consider the results;
- (b) publish a notice of its proposals in accordance with subsections (3) and (4) and consider any representations which are duly made in respect of those proposals; and
- (c) consult the General Consumer Council and other persons or bodies mentioned in subsection (5).

(3) The notice required by subsection (2)(b) is a notice—

- (a) stating that the Authority proposes to determine standards of performance and setting out the standards of performance proposed;
  - (b) stating the reasons why it proposes to determine those standards of performance; and
  - (c) specifying the time (not being less than 28 days from the date of publication of the notice) within which representations with respect to the proposals may be made.
- (4) A notice required by subsection (2)(b) shall be published in such manner as the Authority considers appropriate for the purpose of bringing it to the attention of those likely to be affected by the proposals.
- (5) The persons or bodies to be consulted by the Authority under subsection (2)(c) are—
- (a) gas suppliers (in the case of standards of performance under section 3(1)(a)) or gas conveyors and gas suppliers (in the case of standards of performance under section 3(1)(b)); and
  - (b) persons or bodies appearing to the Authority to be representative of persons likely to be affected by the determination.
- (6) The Authority shall make arrangements for securing that notices under subsection (2)(b) and determinations under section 3 are made available to the public by whatever means it considers appropriate.
- (7) Any requirement for research or consultation under this section may be satisfied by research or consultation carried out in anticipation of its coming into operation.