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STATUTORY RULES OF NORTHERN IRELAND

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**1996 No. 216 (C. 8)**

**GAS**

**Gas (1996 Order) (Commencement)  
Order (Northern Ireland) 1996**

*Made* - - - - *29th May 1996*

The Department of Economic Development, in exercise of the powers conferred on it by Article 1(2) and (3) of the Gas (Northern Ireland) Order 1996(1) and paragraph 2(1) of Schedule 1 to the Northern Ireland Act 1974(2) and of every other power enabling it in that behalf, hereby makes the following Order:

**Citation and interpretation**

1.—(1) This Order may be cited as the Gas (1996 Order) (Commencement) Order (Northern Ireland) 1996.

(2) In this Order:—

“the 1977 Order” means the Gas (Northern Ireland) Order 1977(3);

“the 1996 Order” means the Gas (Northern Ireland) Order 1996; and

“the Street Works Order” means the Street Works (Northern Ireland) Order 1995(4).

**Commencement**

2. Subject to Articles 3 and 4, the provisions of the 1996 Order shall come into operation on 10th June 1996.

**Transitional provisions**

3. Article 35 of the 1996 Order shall not have effect in relation to any works for the construction of a major pipeline executed before 10th December 1996 and accordingly a person may execute such works without the consent of the Director provided that—

(a) the Director may grant a consent under that Article in relation to any works which are, or are expected to be, executed on or after that date; and

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(1) S.I.1996/275 (N.I. 2)  
(2) 1974 c. 28  
(3) S.I. 1977/596 (N.I. 7)  
(4) S.I. 1995/3210 (N.I. 19)

- (b) anything which it is necessary or expedient to do with a view to, or otherwise in connection with, the obtaining or granting of a consent under that Article in relation to such works may be done by or in relation to the Director.

4.—(1) Subject to paragraph (3), paragraph 2 of Schedule 3 to the 1996 Order shall have effect as if for the reference in that paragraph to the Street Works Order there were substituted a reference to the provisions of the 1977 Order mentioned in paragraph (2) as modified by that paragraph.

(2) For the purposes of paragraph (1), paragraphs 1(4) to (12) and 31 of Schedule 1 to the 1977 Order shall continue to have effect as if—

- (a) for any reference therein to an undertaker there were substituted a reference to a licence holder within the meaning of the 1996 Order; and
- (b) any reference therein to the area of an undertaker included any place where that person was entitled to execute works under paragraph 2 of Schedule 3 to the 1996 Order.

(3) Where any provision in the Street Works Order which corresponds to any provision of the 1977 Order mentioned in paragraph (2) comes into operation, then, insofar as it relates to the said provision in the Street Works Order, paragraph 2 of Schedule 3 to the 1996 Order shall have effect as if paragraph (1) had not been made.

Sealed with the Official Seal of the Department of Economic Development on .

29th May 1996

*J. E. Wolstencroft*  
Assistant Secretary

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## **EXPLANATORY NOTE**

*(This note is not part of the Order.)*

This Order brings into operation the provisions of the Gas (Northern Ireland) Order 1996 (“the 1996 Order”) (Article 2).

The Order also contains transitional provisions. Article 3 allows a person to execute work before 10th December 1996 on a major pipeline (as defined in Article 35 of the 1996 Order) without the consent of the Director General of Gas for Northern Ireland under that Article. Article 4 makes provision in connection with the breaking up of roads pending the coming into operation of the Street Works (Northern Ireland) Order 1995.