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SCHEDULES

SCHEDULE 2

STORAGE AUTHORISATION ORDERS

PART III

CASES WHERE PROCEDURE UNDER PART II NEED NOT BE FOLLOWED

Orders transferring functions from one [F¹public gas supplier]to another

Annotations:

Amendments (Textual)

- F1** Words substituted by virtue of Gas Act 1986 (c. 44, SIF 44:2), s. 67(1)(3), Sch. 7 para. 6(2), **Sch. 8 para. 33**

- 14 (1) Part II of this Schedule shall not apply to an order which varies a storage authorisation order and the sole purpose of which is the transfer of the benefit of, or functions under, the storage authorisation order from one [F²public gas supplier]to another, or to make any other change in the [F³public gas transporters]having the benefit of, or exercising functions under, the storage authorisation order.
- (2) The [F³public gas supplier]in whose favour any such order is made shall, within three weeks of the date when responsibility for the underground gas storage to which the order relates is transferred in pursuance of the order, serve notice of the transfer—
- on the Minister,
 - on every local planning authority, local authority and river authority within whose area any part of the storage area or of the protective area lies,
 - on all statutory water undertakers within whose limits of supply any part of the storage area or of the protective area lies, or who are the holders of a statutory licence to abstract water within either of those areas, and
 - on every owner, lessee and occupier (except tenants for a month or any period less than a month) of any land within the storage area or within the protective area.

Annotations:

Amendments (Textual)

- F2** Words substituted by virtue of Gas Act 1986 (c. 44, SIF 44:2), s. 67(1)(3), Sch. 7 para. 6(2), **Sch. 8 para. 33**
- F3** Words in **Sch. 2 para. 14(1)** substituted (1.3.1996) by **1995 c. 45 s. 16(1)**, Sch. 4 para. 7(3)

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Orders varying nature of gas stored

- 15 Part II of this Schedule shall not apply to an order which varies a storage authorisation order and the sole purpose of which is to vary the provisions of the storage authorisation order as to the nature of the gas which may be stored in the gas storage area.
- 16 (1) If any such order is an order the effect of which is to authorise the storage of gas of a nature which would not be authorised apart from that order, the procedure for making the order shall be that prescribed in the following provisions of this paragraph.
- (2) The [^{F4}public gas supplier] may apply to the Minister to make the order after serving notice of their application—
- (a) on every local planning [^{F5}authority, [^{F6}every local authority who are not a local planning authority and every] river authority within][^{F5}authority and every local authority who are not a local planning authority, being, in either case, an authority within] whose area any part of the storage area or of the protective area lies,
 - (b) on all statutory water undertakers within whose [^{F7}limits of supply][^{F7}area] any part of the storage area or the protective area lies, or who are the holders of a statutory licence to abstract water within either of those areas, and [^{F8}(bb) on the National Rivers Authority, and]
 - (c) on every owner, lessee and occupier (except tenants for a month or any period less than a month) of any land within the storage area or within the protective area,
- stating that representations by any of those persons may be made to the Minister within twenty-eight days of the date on which the notice is served.
- (3) [^{F9}The applicant] shall inform the Minister of the dates of service of notice under this paragraph.
- (4) The Minister shall take into consideration the application and all representations with respect to the application which are duly made within the period specified in the notices and may, if he thinks fit, and if he is satisfied that the proper notices have been served under the foregoing provisions of this paragraph, make the order applied for.
- (5) If the order is made, the [^{F4}public gas supplier] shall serve a copy of the order on every person on whom notice of the application is required to be served under this paragraph.

Annotations:

Amendments (Textual)

- F4** Words substituted by virtue of Gas Act 1986 (c. 44, SIF 44:2), s. 67(1)(3), Sch. 7 para. 6(2), **Sch. 8 para. 33**
- F5** Words from “authority and every” to “within” substituted (E.W.) for the words from “authority, every” to “within” by virtue of Water Act 1989 (c. 15, SIF 130), s. 190(1), **Sch. 25 para. 32(6)(a)** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58.
- F6** Words substituted by Local Government Act 1972 (c. 70, SIF 81:1), **Sch. 29 Pt. II para. 20(1)**
- F7** Word “area” substituted (E.W.) for words “limits of supply” by Water Act 1989 (c.15, SIF 130), s. 190(1), **Sch. 25 para. 32(6)(b)**(with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58.

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- F8** Sch. 2 paras. 4(2)(bb), 7(3)(bb), 12(1)(bb) and 16(2)(bb) inserted (E.W.) by [Water Act 1989 \(c. 15, SIF 130\)](#), s. 190(1), **Sch. 25 para. 32(6)(c)** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58.
- F9** Words substituted by [Gas Act 1986 \(c. 44, SIF 44:2\)](#), s. 67(1)(3), Sch. 7 para. 6(26)(a), **Sch. 8 para. 33**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act words substituted by 2005 c. 4 Sch. 11 para. 4

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4(2A) (2B) inserted by 2008 c. 29 Sch. 2 para. 12
- s. 5(2A) inserted by 2008 c. 29 Sch. 2 para. 13
- s. 6(9) inserted by 2008 c. 29 Sch. 2 para. 14(4)
- s. 17(5)(aza) inserted by 2012 asp 8 sch. 7 para. 46(b)
- s. 17(5)(zaa) inserted by S.I. 2004/1822 Sch. para. 4(3)(b)
- s. 17(5)(za)(zb) inserted by S.I. 2013/755 Sch. 2 para. 36(2)
- s. 25(4) inserted by S.I. 2017/524 Sch. 5 para. 11(b)
- Sch. 2 para. 7(3A) inserted by S.I. 2007/1519 Sch. para. 6(2)(b)
- Sch. 2 para. 12(1A) inserted by S.I. 2007/1519 Sch. para. 6(3)(b)
- Sch. 2 para. 14(3) inserted by S.I. 2007/1519 Sch. para. 6(4)(b)
- Sch. 2 para. 16(2A) inserted by S.I. 2007/1519 Sch. para. 6(5)(b)
- Sch. 3 para. 8A inserted by S.I. 2013/755 Sch. 2 para. 38(5)

Commencement Orders yet to be applied to the Gas Act 1965

Commencement Orders bringing legislation that affects this Act into force:

- S.I. 2003/1725 art. 2(1) commences (2002 c. 9)
- S.I. 2004/2202 art. 2 3 commences (2004 c. 5)
- S.I. 2004/2304 art. 2 commences (2004 c. 21)
- S.I. 2004/2917 art. 2 commences (2004 c. 21)
- S.I. 2009/1604 art. 2 commences (2005 c. 4)
- S.I. 2010/101 art. 2-5 commences (2008 c. 29)
- S.S.I. 2003/456 art. 2 commences (2000 asp 5)
- S.S.I. 2005/392 art. 2 commences (2005 asp 5)
- 2006 No. 2 Instrument made by Archbishops commences (2006 No. 1)