



Gas Act 1965

1965 CHAPTER 36

PART II

UNDERGROUND STORAGE OF GAS BY GAS AUTHORITIES

17 Accidents. **E+W**

- (1) If—
- (a) there is a leakage of gas from an underground gas storage, or from the boreholes connected with an underground gas storage, or
 - (b) some other event occurs which is of a kind which the Minister has by notice served on the [F¹public gas transporter] specified for the purposes of this section,

notice of the event, in such form and accompanied by such particulars as may be specified by the Minister, shall forthwith be given by the [F¹public gas transporter] to the Minister; and a [F¹public gas transporter] failing to comply with this subsection shall be guilty of an offence under this Part of this Act.

- (2) The Minister may, where he thinks it expedient so to do, direct an inquiry to be held into any event notice of which is to be given under the foregoing subsection, or any other event connected with the underground gas storage.

The inquiry shall be held in public and in accordance with the provisions of Schedule 5 to this Act.

- (3) The Minister may, whether or not he proposes to hold an inquiry in public under the last foregoing subsection into any event connected with an underground gas storage, appoint one of his officers or some other competent person to investigate the event and to make a special report with respect to it, and the Minister may cause any such report to be made public at such time and in such manner as he thinks fit.

^{F2}(4)

- (5) It shall be the duty of the [F¹public gas transporter] to make arrangements—

Status: There are multiple versions of this provision on screen. These apply to different geographical extents. Skip to: E+W - England and Wales extent S - Scotland extent
Changes to legislation: There are currently no known outstanding effects for the Gas Act 1965, Section 17. (See end of Document for details)

- [^{F3}(za) for the Environment Agency, if it appears to them that the Environment Agency will or may have duties to discharge, or will or may have to take precautionary or preventive action in any event within paragraphs (a) and (b) of subsection (1), and
- (zb) for the Natural Resources Body for Wales, if it appears to them that the Natural Resources Body for Wales will or may have duties to discharge, or will or may have to take precautionary or preventive action in any such event, and]
- (a) ^{F4}... [^{F5}for every police force, [^{F6}fire and rescue authority], statutory water undertakers and sewerage undertakers] who appear to them to be authorities on whom duties will or may fall, or who will or may have to take precautionary or preventive action, in any [^{F7}such event], and
- (b) for such other bodies as the Minister may specify by notice given to the [^{F1}public gas transporter], being bodies appearing to him to have duties to discharge in any such event,

to be notified immediately on the occurrence of any such event; and the [^{F1}public gas transporter] shall provide those authorities and bodies with such plans, maps and other information as they may reasonably require in order to enable [^{F8}him] to carry out those duties.

A [^{F1}public gas transporter] failing to comply with this subsection shall be guilty of an offence under this Part of this Act.

- (6) A [^{F1}public gas transporter] guilty of an offence under this Part of this Act by virtue of this section shall be liable on summary conviction to a fine not exceeding [^{F9}level 3 on the standard scale].

Extent Information

- E1** This version of this provision extends to England and Wales only; a separate version has been created for Scotland only

Textual Amendments

- F1** Words in Pt. 11 (ss. 4-28) substituted (1.3.1996) by 1995 c. 45, s. 16(1), **Sch. 4 para. 7(1)**; S.I. 1996/218, **art.2**
- F2** S. 17(4) repealed (E.W.) (15.6.2017) by *The Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016 (Consequential Provisions and Modifications) Order 2016* (S.I. 2016/1142), art. 1(2), **Sch. para. 12** (with art. 7(2)); S.S.I. 2017/155, reg. 2
- F3** S. 17(5)(za)(zb) inserted (1.4.2013) by *The Natural Resources Body for Wales (Functions) Order 2013* (S.I. 2013/755), art. 1(2), **Sch. 2 para. 36(2)** (with Sch. 7)
- F4** Words in s. 17(5)(a) omitted (1.4.2013) by virtue of *The Natural Resources Body for Wales (Functions) Order 2013* (S.I. 2013/755), art. 1(2), **Sch. 2 para. 36(3)(a)** (with Sch. 7)
- F5** Words in s. 17(5)(a) substituted by 1989 c. 15, s. 190(1), **Sch. 25 para. 32(4)** (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 in s. 17(5)(a) substituted (E.W.) (1.10.2004 except in relation to W. and 10.11.2004 for W.) by *Fire and Rescue Services Act 2004* (c. 21), s. 61, **Sch. 1 para. 20(2)**; S.I. 2004/2304, **art. 2**; S.I. 2004/2917, **art. 2**
- F7** Words in s. 17(5)(a) substituted (1.4.2013) by *The Natural Resources Body for Wales (Functions) Order 2013* (S.I. 2013/755), art. 1(2), **Sch. 2 para. 36(3)(b)** (with Sch. 7)
- F8** Word substituted by *Gas Act 1986* (c. 44, SIF 44:2), s. 67(1)(3), Sch. 7 para. 6(15), **Sch. 8 para. 33**
- F9** Words substituted by virtue of *Criminal Justice Act 1982* (c. 48, SIF 39:1), **ss. 38, 46**

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17 Accidents. **S**

(1) If—

- (a) there is a leakage of gas from an underground gas storage, or from the boreholes connected with an underground gas storage, or
- (b) some other event occurs which is of a kind which the Minister has by notice served on the [^{F10}public gas transporter] specified for the purposes of this section,

notice of the event, in such form and accompanied by such particulars as may be specified by the Minister, shall forthwith be given by the [^{F10}public gas transporter] to the Minister; and a [^{F10}public gas transporter] failing to comply with this subsection shall be guilty of an offence under this Part of this Act.

(2) The Minister may, where he thinks it expedient so to do, direct an inquiry to be held into any event notice of which is to be given under the foregoing subsection, or any other event connected with the underground gas storage.

The inquiry shall be held in public and in accordance with the provisions of Schedule 5 to this Act.

(3) The Minister may, whether or not he proposes to hold an inquiry in public under the last foregoing subsection into any event connected with an underground gas storage, appoint one of his officers or some other competent person to investigate the event and to make a special report with respect to it, and the Minister may cause any such report to be made public at such time and in such manner as he thinks fit.

^{F11}(4)

(5) It shall be the duty of the [^{F10}public gas transporter] to make arrangements—

- [^{F3}(za) for the Environment Agency, if it appears to them that the Environment Agency will or may have duties to discharge, or will or may have to take precautionary or preventive action in any event within paragraphs (a) and (b) of subsection (1), and
- (zb) for the Natural Resources Body for Wales, if it appears to them that the Natural Resources Body for Wales will or may have duties to discharge, or will or may have to take precautionary or preventive action in any such event, and]
- (a) for every police force, ^{F12}... river authority ^{F13}... [^{F14}, river purification authority] and statutory water undertakers who appear to them to be authorities on whom duties will or may fall, or who will or may have to take precautionary or preventive action, in any [^{F7}such event], [^{F14}and]
- [^{F15}(aza) for the Scottish Fire and Rescue Service if it appears to them that the Scottish Fire and Rescue Service will or may have duties to discharge, or will or may have to take precautionary or preventative action in any such event,]
- [^{F16}(zaa) if it appears to them that Scottish Water will or may have duties to discharge, or will or may have to take precautionary or preventative action, in any such event, for that body,]
- [^{F17}(aa) if it appears to them that the Scottish Environment Protection Agency will have duties to discharge in any such event, for that body, and]
- (b) for such other bodies as the Minister may specify by notice given to the [^{F10}public gas transporter], being bodies appearing to him to have duties to discharge in any such event,

to be notified immediately on the occurrence of any such event; and the [^{F10}public gas transporter] shall provide those authorities and bodies with such plans, maps and

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other information as they may reasonably require in order to enable [^{F18}him] to carry out those duties.

A [^{F10}public gas transporter] failing to comply with this subsection shall be guilty of an offence under this Part of this Act.

- (6) A [^{F10}public gas transporter] guilty of an offence under this Part of this Act by virtue of this section shall be liable on summary conviction to a fine not exceeding [^{F19}level 3 on the standard scale].

Extent Information

- E2** This version of this provision extends to Scotland only; a separate version has been created for England and Wales only

Textual Amendments

- F3** S. 17(5)(za)(zb) inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 2 para. 36(2)** (with Sch. 7)
- F7** Words in s. 17(5)(a) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 2 para. 36(3)(b)** (with Sch. 7)
- F10** Words in Pt. II (ss. 4-28) substituted (1.3.1996) by 1995 c. 45, s. 16(1), **Sch. 4 para. 7(1)**; S.I. 1996/218, **art. 2**
- F11** S. 17(4) repealed (S.) (15.6.2017) by [Inquiries into Fatal Accidents and Sudden Deaths etc. \(Scotland\) Act 2016 \(asp 2\)](#), s. 42(2), **sch. 2 para. 1**; S.S.I. 2017/155, reg. 2 (with regs. 4(2), 5)
- F12** Words in s. 17(5)(a) repealed (S.) (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), **Sch. 7 para. 46(a)**; S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)
- F13** Words in s. 17(5)(a) repealed (S.) (14.7.2004) by [The Water Industry \(Scotland\) Act 2002 \(Consequential Modifications\) Order 2004 \(S.I. 2004/1822\)](#), art. 1(1), **Sch. para. 4(3)(a)**
- F14** Words in s. 17(5)(a) ceased to have effect (1.4.1996) by S.I. 1996/973, **reg. 2 Sch. para. 3(2)(a)**
- F15** S. 17(5)(aza) inserted (S.) (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), **Sch. 7 para. 46(b)**; S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)
- F16** S. 17(5)(zaa) inserted (S.) (14.7.2004) by [The Water Industry \(Scotland\) Act 2002 \(Consequential Modifications\) Order 2004 \(S.I. 2004/1822\)](#), art. 1(1), **Sch. para. 4(3)(b)**
- F17** S. 17(5)(aa) added (1.4.1996) by 1996/973, reg. 2 Sch. para.3(2)(b)
- F18** Word substituted by [Gas Act 1986 \(c. 44, SIF 44:2\)](#), s. 67(1)(3), Sch. 7 para. 6(15), **Sch. 8 para. 33**
- F19** Words substituted by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), **ss. 289F, 289G**

Status:

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Skip to:

- E+W - England and Wales extent
- S - Scotland extent

Changes to legislation:

There are currently no known outstanding effects for the Gas Act 1965, Section 17.