

SCHEDULES

SCHEDULE 1

Section 1(5).

DIRECTOR GENERAL OF GAS SUPPLY

- 1 There shall be paid to the Director such remuneration, and such travelling and other allowances, as the Secretary of State with the approval of the Treasury may determine.
- 2 In the case of any such holder of the office of the Director as may be determined by the Secretary of State with the approval of the Treasury, there shall be paid such pension, allowance or gratuity to or in respect of him on his retirement or death, or such contributions or payments towards provision for such a pension, allowance or gratuity as may be so determined.
- 3 If, when any person ceases to hold office as the Director, the Secretary of State determines with the approval of the Treasury that there are special circumstances which make it right that he should receive compensation, there may be paid to him a sum by way of compensation of such amount as may be so determined.
- 4 The Director may, with the approval of the Treasury as to numbers and terms and conditions of service, appoint such staff as he may determine.
- 5 There shall be paid out of money provided by Parliament the remuneration of, and any travelling or other allowances payable under this Act to, the Director and any staff of the Director, any sums payable under this Act to or in respect of the Director and any expenses duly incurred by the Director or by any of his staff in consequence of the provisions of this Act.
- 6 In the Parliamentary Commissioner Act 1967 in Schedule 2 (departments and authorities subject to investigation) there shall be inserted (at the appropriate place) the following entry—

“Office of the Director General of Gas Supply”.
- 7 In the House of Commons Disqualification Act 1975 in Part III of Schedule 1 (other disqualifying offices) there shall be inserted (at the appropriate place) the following entry—

“Director General of Gas Supply”;

and the like insertion shall be made in Part III of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975.
- 8 The Director shall have an official seal for the authentication of documents required for the purposes of his functions.
- 9 The Documentary Evidence Act 1868 shall have effect as if the Director were included in the first column of the Schedule to that Act, as if the Director and any person authorised to act on behalf of the Director were mentioned in the second column of that Schedule, and as if the regulations referred to in that Act included any document issued by the Director or by any such person.

Status: This is the original version (as it was originally enacted).

- 10 Anything authorised or required by or under this Act to be done by the Director may be done by any member of the staff of the Director who is authorised generally or specially in that behalf by the Director.

SCHEDULE 2

Section 2(5).

GAS CONSUMERS' COUNCIL

- 1 The Council shall not be regarded as a servant or agent of the Crown or as enjoying any status, immunity or privilege of the Crown.
- 2 The Council may pay to any member such sums, whether by way of remuneration or allowances or otherwise, as the Secretary of State may with the approval of the Treasury determine.
- 3 (1) Subject to sub-paragraph (2) below, the Council may, with the approval of the Secretary of State as to numbers and terms and conditions of service, appoint such staff as it may determine.
- (2) The Council shall not appoint a person to act as principal officer of the Council except after consultation with the Secretary of State.
- (3) For the purpose of ensuring that there are persons available in particular localities to assist the Council in the performance in those localities of its functions under this Act, the Council may, without any such approval as is required by sub-paragraph (1) above, appoint such persons to be so available as it may determine.
- (4) Persons appointed under sub-paragraph (3) above shall not be paid any sums by the Council for or in respect of their services except sums reimbursing them for their travelling expenses and such of their other out-of-pocket expenses as do not relate to loss of remuneration.
- (5) The consent of the Treasury shall be required for the giving by the Secretary of State of an approval for the purposes of subparagraph (1) above.
- 4 The Council shall have power to do anything which is calculated to facilitate, or is incidental or conducive to, the performance of any of its functions under this Act.
- 5 It shall be the duty of the Council to comply with any notice given by the Secretary of State with the approval of the Treasury requiring it to perform duties of a financial nature specified in the notice.
- 6 The Secretary of State or the Director may, to such extent as may be approved by the Treasury, defray or contribute towards the expenses of the Council.
- 7 Any sums required by the Secretary of State for the purposes of paragraph 6 above shall be paid out of money provided by Parliament.
- 8 In the House of Commons Disqualification Act 1975 in Part II of Schedule 1 (bodies of which all members are disqualified) there shall be inserted (at the appropriate place) the following entry—
 “The Gas Consumers' Council”;
 and the like insertion shall be made in Part II of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975.

SCHEDULE 3

Section 9(3).

ACQUISITION OF LAND BY PUBLIC GAS SUPPLIERS

PART I

POWERS OF ACQUISITION ETC.

- 1 (1) The Secretary of State, after consultation with the Director, may authorise a public gas supplier to purchase compulsorily any land.
- (2) In sub-paragraph (1) above "land" includes any right over land; and the power of the Secretary of State under that subparagraph includes power to authorise the acquisition of rights over land by creating new rights as well as acquiring existing ones.
- 2 (1) This paragraph applies to land which—
 - (a) for the purposes of the Acquisition of Land Act 1981, is or forms part of a common, open space or a fuel or field garden allotment; or
 - (b) for the purposes of the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947, is or forms part of a common or open space.
- (2) Where for any purpose a public gas supplier has acquired, or proposes to acquire, any land to which this paragraph applies, or any right over any such land, and other land is required for the purpose of being given in exchange for the land or right in question, the Secretary of State may authorise the supplier to purchase that other land compulsorily, or he may acquire it by agreement.
- 3 Where a public gas supplier has acquired any land by virtue of paragraph 1 above, he shall not dispose of that land or of any interest in or right over it except with the consent of the Director.

PART II

PROCEDURE, COMPENSATION ETC. (ENGLAND AND WALES)

Application of Acquisition of Land Act 1981 generally

- 4 The Acquisition of Land Act 1981 shall apply to a compulsory purchase by a public gas supplier of land or rights in England and Wales, subject, in the case of a compulsory acquisition of a right by the creation of a new right, to Schedule 3 to that Act.

New rights: general adaptation of Compulsory Purchase Act 1965

- 5 The Compulsory Purchase Act 1965 shall have effect with the modifications necessary to make it apply to a public gas supplier's compulsory acquisition of a right in England and Wales by the creation of a new right as it applies to the compulsory acquisition of land, so that, in appropriate contexts, references in that Act to land are to be read as referring, or as including references, to the right acquired or to be acquired, or to land over which the right is or is to be exercisable, according to the requirements of the particular context

Status: This is the original version (as it was originally enacted).

New rights: specific adaptations of Act of 1965

6 Without prejudice to the generality of paragraph 5 above, Part I of the said Act of 1965 shall apply in relation to a public gas supplier's compulsory acquisition of a right in England and Wales by the creation of a new right with the modifications specified in paragraphs 7 to 12 below.

7 For section 7 of that Act (measure of compensation) there shall be substituted the following section—

“7 In assessing the compensation to be paid by the acquiring authority under this Act regard shall be had not only to the extent (if any) to which the value of the land over which the right is to be acquired is depreciated by the acquisition of the right but also to the damage (if any) to be sustained by the owner of the land by reason of its severance from other land of his, or injuriously affecting that other land by the exercise of the powers conferred by this or the special Act.”

8 For subsection (1) of section 8 of that Act (protection for vendor against severance of house, garden, etc.) there shall be substituted the following subsections—

“(1) No person shall be required to grant any right over part only—

- (a) of any house, building or manufactory ; or
- (b) of a park or garden belonging to a house,

if he is willing to sell the whole of the house, building, manufactory, park or garden, unless the Lands Tribunal determine that—

- (i) in the case of a house, building or manufactory, the part over which the right is proposed to be acquired can be made subject to that right without material detriment to the house, building or manufactory ; or
- (ii) in the case of a park or garden, the part over which the right is proposed to be acquired can be made subject to that right without seriously affecting the amenity or convenience of the house ;

and if the Lands Tribunal so determine, the Tribunal shall award compensation in respect of any loss due to the acquisition of the right, in addition to its value ; and thereupon the party interested shall be required to grant to the acquiring authority that right over the part of the house, building, manufactory, park or garden.

(1A) In considering the extent of any material detriment to a house, building or manufactory, or any extent to which the amenity or convenience of a house is affected, the Lands Tribunal shall have regard not only to the right which is to be acquired over the land, but also to any adjoining or adjacent land belonging to the same owner and subject to compulsory purchase.”

9 The following provisions of that Act (being provisions stating the effect of a deed poll executed in various circumstances where there is no conveyance by persons with interests in the land)—

- section 9(4) (refusal by owners to convey) ;
- Schedule 1, paragraph 10(3) (owners under incapacity) ;
- Schedule 2, paragraph 2(3) (absent and untraced owners); and
- Schedule 4, paragraphs 2(3) and 7(2) (common land),

shall be so modified as to secure that, as against persons with interests in the land which are expressed to be overridden by the deed, the right which is to be compulsorily acquired is vested absolutely in the acquiring authority.

Status: This is the original version (as it was originally enacted).

- 10 Section 11 of that Act (powers of entry) shall be so modified as to secure that, as from the date on which the acquiring authority have served notice to treat in respect of any right, they have power, exercisable in the like circumstances and subject to the like conditions, to enter for the purpose of exercising (that right (which shall be deemed for this purpose to have been created on the date of service of the notice); and sections 12 (penalty for unauthorised entry) and 13 (entry on sheriff's warrant in the event of obstruction) shall be modified correspondingly.
- 11 Section 20 of that Act (protection for interests of tenants at will etc.) shall apply with the modifications necessary to secure that persons with such interests as are mentioned in that section are compensated in a manner corresponding to that in which they would be compensated on a compulsory acquisition of that land, but taking into account only the extent (if any) of such interference with such an interest as is actually caused, or likely to be caused, by the exercise of the right in question.
- 12 Section 22 of that Act (protection of acquiring authority's possession where by inadvertence an estate, right or interest has not been got in) shall be so modified as to enable the acquiring authority, in circumstances corresponding to those referred to in that section, to continue entitled to exercise the right acquired, subject to compliance with that section as respects compensation.

New rights: compensation

- 13 The enactments in force in England and Wales with respect to compensation for the compulsory purchase of land shall apply with the necessary modifications as respects compensation in the case of a public gas supplier's compulsory acquisition of a right by the creation of a new right as they apply to compensation on the compulsory purchase of land and interests in land.

PART III

PROCEDURE, COMPENSATION ETC. (SCOTLAND)

Application of Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 generally

- 14 The Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 shall apply to the compulsory purchase by a public gas supplier of land or rights in Scotland as if the supplier were a local authority within the meaning of that Act, and as if this Act had been in force immediately before the commencement of that Act.

New rights: general application of Act of 1947 and incorporated enactments

- 15 The enactments incorporated with this Act by virtue of Part I of Schedule 2 to the said Act of 1947 and that Act shall have effect with the modifications necessary to make them apply to a public gas supplier's compulsory acquisition of a right in Scotland by the creation of a new right as they apply to the compulsory acquisition of land, so that, in appropriate contexts, references in those enactments and that Act to land are to be read as referring, or as including references, to the right acquired or to be acquired, or to land over which the right is or is to be exercisable, according to the requirements of the particular context.

Status: This is the original version (as it was originally enacted).

New rights: specific adaptations of Act of 1947

- 16 Without prejudice to the generality of paragraph 15 above, Part III of Schedule 1 to the said Act of 1947 (requirement of special parliamentary procedure, and other special provisions, in the case of acquisition of certain descriptions of land) shall apply in relation to a public gas supplier's compulsory acquisition of a right in Scotland by the creation of a new right with the modifications specified in paragraphs 17 to 20 below.
- 17 In paragraph 9 of that Schedule (compulsory purchase affecting land of the National Trust for Scotland) for references to the compulsory purchase of land there shall be substituted references to the compulsory acquisition of rights over land.
- 18 In paragraph 10 of that Schedule (land of statutory undertakers)—
- (a) for the words "land comprised in the order" there shall be substituted the words "land over which a right is to be acquired by virtue of the order";
 - (b) for the words " purchase of " there shall be substituted the words "acquisition of a right over";
 - (c) for the words " it can be purchased and not replaced " there shall be substituted the words "the right can be acquired"; and
 - (d) for sub-paragraph (ii) there shall be substituted the following sub-paragraph—
 - “(ii) that any detriment to the carrying on of the undertaking, in consequence of the acquisition of the right, can be made good by the undertakers by the use of other land belonging to, or available for acquisition by, them”.
- 19 In paragraph 11 of that Schedule (common or open space), for sub-paragraph (1) there shall be substituted the following subparagraph—
- “(1) In so far as a compulsory purchase order authorises the acquisition of a right over land forming part of a common or open space, it shall be subject to special parliamentary procedure unless the Secretary of State is satisfied—
- (a) that the land, when burdened with that right, will be no less advantageous to those persons in whom it is vested and other persons, if any, entitled to rights of common or other rights, and to the public, than it was before; or
 - (b) that there has been or will be given in exchange for the right additional land which will as respects the persons in whom there is vested the land over which the right is to be acquired, the persons, if any, entitled to rights of common or other rights over that land, and the public, be adequate to compensate them for the disadvantages which result from the acquisition of the right, and that the additional land has been or will be vested in the persons in whom there is vested the land over which the right is to be acquired, and subject to the like rights, trusts and incidents as attach to that land apart from the compulsory purchase order; or
 - (c) that the land affected by the right to be acquired does not exceed 250 square yards in extent, and that the giving of other land in exchange for the right is unnecessary, whether in the interests of the persons, if any, entitled to rights of common or other rights or in the interests of the public,

Status: This is the original version (as it was originally enacted).

and certifies accordingly.”

20 In paragraph 12 of that Schedule, for the words " the purchase of " there shall be substituted the words "the acquisition of a right over".

21 Paragraph 10 above shall have effect in relation to the said Act of 1947 with the substitution of a reference to paragraph 3(1) of the Second Schedule to that Act for the reference to section 11 of the Compulsory Purchase Act 1965, and with the omission of the words from "and sections" to the end of the paragraph.

22 For paragraph 4 of the Second Schedule to the said Act of 1947 (protection for owner against severance of property) there shall be substituted the provisions substituted by paragraph 8 of this Schedule for section 8(1) of the said Act of 1965, and any reference in those provisions to the Lands Tribunal shall be construed as a reference to the Lands Tribunal for Scotland.

Restrictions on application of paragraphs 15 to 20 above

23 So much of paragraph 15 above as relates to the said Act of 1947, and paragraphs 16 to 20 above, shall not apply to any compulsory purchase to which, by virtue of section 12 or 13 of the Gas Act 1965, Part I of Schedule 4 to that Act applies.

New Rights: specific adaptations of Lands Clauses Consolidation (Scotland) Act 1845

24 For section 61 of the Lands Clauses Consolidation (Scotland) Act 1845 (estimation of compensation) there shall be substituted the following section—

“**61** In estimating the purchase money or compensation to be paid by the promoters of the undertaking in the Special Act, in any of the cases aforesaid, regard shall be had not only to the extent (if any) to which the value of the land over which the right is to be acquired is depreciated by the acquisition of the right, but also to the damage (if any) to be sustained by the owner of the land by reason of its severance from other land of his, or injuriously affecting that other land by the exercise of the powers conferred by this or the Special Act.”

25 The following provisions of that Act (being provisions stating the effect of a notarial instrument or of a disposition executed in various circumstances where there is no conveyance by persons with interests in the land)—

section 74 (failure by owner to convey);

section 76 (refusal to convey or show title or owner cannot be found);

section 98 (vesting of common land),

shall be so modified as to secure that, as against persons with interests in the land over which the right is to be compulsorily acquired such right is vested absolutely in the promoters of the undertaking.

26 Paragraph 11 above shall have effect in relation to that Act with the substitution of a reference to sections 114 and 115 thereof for the reference to section 20 of the Compulsory Purchase Act 1965.

27 Paragraph 12 above shall have effect in relation to that Act with the substitution of a reference to sections 117 and 118 thereof for any reference to section 22 of the said Act of 1965.

Status: This is the original version (as it was originally enacted).

New rights: compensation

- 28 Paragraph 13 above shall have effect in relation to Scotland with the substitution of "Scotland" for " England and Wales ".
- 29 This Part of this Schedule shall extend to Scotland only.

SCHEDULE 4

Section 9(3).

POWER OF PUBLIC GAS SUPPLIERS TO BREAK UP STREETS, BRIDGES ETC

- 1 (1) Subject to the following provisions of this Schedule, a public gas supplier may execute the following kinds of works, that is to say, placing in or under any street or bridge and from time to time repairing, altering or removing—
- (a) pipes, conduits, service pipes, cables, sewers and other works; and
 - (b) pressure governors, ventilators and other apparatus.
- (2) Subject as aforesaid, a public gas supplier may execute any works requisite for or incidental to the purposes of any works falling within sub-paragraph (1) above, including for those purposes—
- (a) opening or breaking up any street or bridge or any sewers, drains or tunnels within or under any street or bridge; and
 - (b) removing or using all earth and materials in or under any street or bridge.
- (3) A public gas supplier shall do as little damage as possible in the exercise of the powers conferred by this paragraph and shall make compensation for any damage done in the exercise of those powers.
- 2 (1) The powers of a public gas supplier under paragraph 1 above shall include power to erect in any street one or more structures for housing any apparatus, but only with the consent, which shall not be unreasonably withheld, of the highway authority.
- (2) Any question whether or not consent to the erection of such a structure is unreasonably withheld shall be determined by a single arbitrator to be appointed by the parties or, in default of agreement, appointed by the Director.
- (3) For the purposes of this paragraph the withholding of consent shall, to the extent that it is based on the ground that the structure ought to be erected elsewhere than in a street, be treated as unreasonable if the supplier shows either that there is no reasonably practicable alternative to erecting it in a street, or that all such alternatives would, on the balance of probabilities, involve greater danger to life or property.
- 3 (1) Subject to sub-paragraph (2) below, nothing in paragraph 1 above shall empower a public gas supplier to lay down or place any pipe or other works into, through or against any building, or in any land not dedicated to the public use.
- (2) A public gas supplier may exercise the powers conferred by paragraph 1 above in relation to any street which has been laid out but not dedicated to the public use for the purpose of giving a supply of gas to any premises which abut on the street.
- 4 (1) Except in cases of emergency arising from defects in any pipes or other works, a street or bridge which—
- (a) does not constitute for the purposes of the Highways Act 1980 a highway or part of a highway maintainable at the public expense; and

Status: This is the original version (as it was originally enacted).

- (b) is under the control or management of, or maintainable by, any railway authority or navigation authority,
shall not be opened or broken up under paragraph 1 above except with the consent, which shall not be unreasonably withheld, of that authority.
- (2) Any question whether or not consent to the opening or breaking up of such a street or bridge is unreasonably withheld shall be determined by a single arbitrator to be appointed by the parties or, in default of agreement, appointed by the Director.
- 5 (1) The powers conferred by paragraph 1 above shall be included among those to which section 20 of the Highways Act 1980 (restriction on laying of apparatus etc. in special roads) applies.
- (2) Nothing in paragraph 1 above shall affect the application to any operation of sections 34 to 36 of the Coast Protection Act 1949.
- 6 In this Schedule—
- " highway authority ", in relation to a street, means the highway authority or other person having the control or management of the street;
- " navigation authority " means any person or body of persons, whether incorporated or not, authorised by or under any enactment to work, maintain, conserve, improve or control any canal or other inland navigation, navigable river, estuary, harbour or dock;
- " railway authority" means any person or body of persons, whether incorporated or not, authorised by any enactment to construct, work or carry on a railway ; and
- " street" includes any square, court, alley, highway, road, lane, thoroughfare, or public passage or place.
- 7 In its application to Scotland this Schedule shall have effect with the following modifications-
- (a) in paragraphs 1 to 4, for the word "street", wherever it occurs, there shall be substituted the word "road";
- (b) in paragraph 2(1), for the words " highway authority " there shall be substituted the words "roads authority or road managers";
- (c) in paragraphs 2(2) and 4(2), for the word " arbitrator " there shall be substituted the word "arbiter";
- (d) in paragraph 4(1), for the words "for the purposes of the Highways Act 1980 a highway or part of a highway maintainable at the public expense " there shall be substituted the words "a road within the meaning of the Roads (Scotland) Act 1984";
- (e) in paragraph 5(1), for the words "section 20 of the Highways Act 1980 " there shall be substituted the words "section 133 of the Roads (Scotland) Act 1984" ; and
- (f) in paragraph 6, the definition of " highway authority " shall be omitted and for the definition of "street" there shall be substituted the following definitions—
- “ road', ' roads authority ' and ' road managers' have the same meanings as in the Public Utilities Street Works Act 1950.”

Status: This is the original version (as it was originally enacted).

SCHEDULE 5

Section 15.

PUBLIC GAS SUPPLY CODE

PART I

SUPPLY OF GAS TO TARIFF CUSTOMERS

Maintenance etc. of service pipes

- 1 A public gas supplier shall carry out any necessary work of maintenance, repair or renewal of any service pipe—
- (a) by which a tariff customer is supplied with gas ; and
 - (b) which was provided and laid otherwise than at the expense of the supplier or a predecessor of his,
- and may recover the expenses reasonably incurred in so doing from the customer.

Alterations etc. of burners on change of calorific value

- 2 It shall be the duty of a public gas supplier, in the case of any alteration in the calorific value declared in respect of any gas supplied by him, to take at his own expense such steps as may be necessary to alter, adjust or replace the burners in the appliances of tariff customers who are supplied with that gas in such manner as to secure that the gas can be burned with safety and efficiency.

Consumption of gas to be ascertained by meter

- 3 (1) Every tariff customer of a public gas supplier shall, if required to do so by the supplier, take his supply through a meter, and in default of his doing so the supplier may refuse to give or discontinue the supply of gas.
- (2) A public gas supplier shall if so required by a tariff customers, supply to the customer, whether by way of sale, hire or loan, an appropriate meter (whether a prepayment meter or otherwise) for ascertaining the quantity of gas supplied by him ; but in the case of a supply by way of hire or loan the customer shall, if so required by the supplier, before receiving the meter give to the supplier reasonable security for the due performance of his obligation to take proper care of it.
- (3) Where any money is deposited with a public gas supplier by way of security in pursuance of this paragraph, the supplier shall pay interest, at such rate as may from time to time be fixed by the supplier with the approval of the Director, on every sum of 50p so deposited for every three months during which it remains in the hands of the supplier.

Meters to be kept in proper order

- 4 (1) Every tariff customer shall at all times, at his own expense, keep all meters belonging to him, whereby the quantity of gas supplied by the public gas supplier is registered, in proper order for correctly registering the quantity of gas, and in default of his doing so the supplier may discontinue the supply of gas through that meter.

Status: This is the original version (as it was originally enacted).

- (2) A public gas supplier shall at all times, at his own expense, keep all meters let for hire or lent by him to any tariff customer in proper order for correctly registering the quantity of gas supplied ; but this sub-paragraph is without prejudice to any remedy the supplier may have against the customer for failure to take proper care of the meter.
- (3) A public gas supplier shall have power to remove, inspect and re-install any meter by which the quantity of gas supplied by him to a tariff customer is registered, and shall, while any such meter is removed, fix a substituted meter on the premises; and, subject to sub-paragraph (4) below, the cost of removing, inspecting and reinstalling a meter and of fixing a substituted meter shall be defrayed by the supplier.
- (4) Where such a meter is removed for the purpose of being examined by a meter examiner in accordance with section 17 of this Act, the expenses incurred in removing, examining and re-installing the meter and fixing a substituted meter shall, if the meter is found in proper order, be defrayed by the person at whose request the examination is to be carried out but otherwise shall be defrayed by the owner of the meter.
- (5) A meter is found in proper order for the purposes of sub-paragraph (4) above if it is found to register correctly or to register erroneously to a degree not exceeding the degree permitted by regulations under section 17 of this Act.

Meter as evidence of quantity of gas supplied

- 5 (1) Subject to sub-paragraph (2) below, where gas is supplied to a tariff customer through a meter, the register of the meter shall be prima facie evidence of the quantity of gas supplied.
- (2) Where a meter through which a tariff customer is supplied with gas is found, when examined by a meter examiner appointed under section 17 of this Act, to register erroneously to a degree exceeding the degree permitted by regulations under that section
 - (a) the meter shall be deemed to have registered erroneously to the degree so found since the relevant date, except in a case where it is proved to have begun to register erroneously as aforesaid on some later date; and
 - (b) the amount of allowance to be made to, or the surcharge to be made on, the customer by the supplier in consequence of the erroneous registration shall be paid to or by the customer, as the case may be.
- (3) In sub-paragraph (2) above " the relevant date " means the penultimate date on which, otherwise than in connection with the examination, the register of the meter was ascertained.

Installation of meters in new premises

- 6 (1) This paragraph applies where a meter is to be used to register the quantity of gas supplied to a tariff customer and—
 - (a) the building has not previously been supplied with gas by the public gas supplier ; or
 - (b) a new or substituted pipe is to be laid between the public gas supplier's main and the meter.

Status: This is the original version (as it was originally enacted).

- (2) Subject to sub-paragraph (3) below, the meter shall be installed as near as practicable to the main, but within the outside wall of the building.
- (3) The meter may be installed otherwise than within the outside wall of the building if it is installed either—
 - (a) in accommodation of a type and construction approved by the public gas supplier by an approval given in relation to buildings generally, or to any class or description of buildings ; or
 - (b) in a separate meter house or other accommodation outside the building approved by the supplier in the case of that particular building.
- (4) If the requirements of this paragraph are not complied with, the public gas supplier may refuse to supply gas to the premises until those requirements have been complied with.

Recovery of gas charges etc.

- 7 (1) A public gas supplier may recover from a tariff customer any charges due to him in respect of the supply of gas, or in respect of the supplying and fixing of any meter or fittings.
- (2) If a tariff customer quits any premises at which gas has been supplied to him through a meter by a public gas supplier without giving notice thereof to the supplier so that it is received by the supplier at least twenty-four hours before he quits the premises, he shall be liable to pay the supplier all charges in respect of the supply of gas to the premises accruing due up to whichever of the following first occurs, namely—
 - (a) the twenty-eighth day after he gives such notice to the supplier ;
 - (b) the next day on which the register of the meter falls to be ascertained ; and
 - (c) the day from which any subsequent occupier of the premises requires the supplier to supply gas to the premises.
- (3) Sub-paragraph (2) above, or a statement of the effect thereof, shall be endorsed upon every demand note for gas charges payable to a public gas supplier by a tariff customer.
- (4) If a tariff customer quits any premises at which gas has been supplied to him by a public gas supplier without paying any amount due from him by way of charges in respect of the supply, the supplier—
 - (a) may refuse to furnish him with a supply of gas at any other premises until he pays the amount so due ; but
 - (b) shall not be entitled to require payment of that amount from the next occupier of the premises.
- (5) If a tariff customer has not, after the expiry of twenty-eight days from the making of a demand in writing by a public gas supplier for payment thereof, paid the charges due from him in respect of the supply of gas by the supplier to any premises, the supplier, after the expiration of not less than seven days' notice of his intention, may—
 - (a) cut off the supply to the premises by disconnecting the service pipe at the meter (whether the pipe belongs to the supplier or not) or by such other means as he thinks fit; and
 - (b) recover any expenses incurred in so doing from the customer.

- (6) Where a public gas supplier has cut off the supply of gas to any premises in consequence of any default on the part of a tariff customer, the supplier shall not be under any obligation to resume the supply of gas to the customer so in default until he has made good the default and paid the reasonable expenses of re-connecting the supply.

PART II

SUPPLY OF GAS TO TARIFF CUSTOMERS AND OTHERS

Use of antilucators and valves

- 8 (1) Where a person supplied with gas by a public gas supplier uses the gas for working or supplying an engine, gas compressor or other similar apparatus or any apparatus liable to produce in any main of the supplier a pressure less than atmospheric pressure (any such engine, compressor or apparatus being in this paragraph referred to as a "compressor"), he shall, if so required by the supplier by notice, fix in a suitable position and keep in use an appliance provided by him which will effectually prevent pressure fluctuation in the supply mains and any other inconvenience or danger being caused to other consumers of gas by reason that he and they are supplied with gas from the same source.
- (2) Where a person supplied with gas by a public gas supplier uses for or in connection with the consumption of the gas so supplied any air at high pressure (in this paragraph referred to as "compressed air") or any gaseous substance not supplied by the supplier (in this paragraph referred to as "extraneous gas"), he shall, if so required by the supplier by notice, fix in a suitable position and keep in use an appliance provided by him which will effectually prevent the admission of the compressed air or extraneous gas into the service pipe or into any main through which gas is supplied by the supplier.
- (3) Where a person is required by this paragraph to keep in use any appliance, he shall at his own expense keep it in proper order and repair, and repair, renew or replace it if it is not in proper order or repair.
- (4) A person supplied with gas by a public gas supplier shall not be entitled to use a compressor, or any apparatus for using compressed air or extraneous gas, unless he has given to the supplier not less than fourteen days' notice of his intention to do so; but this sub-paragraph shall not apply to the use of any compressor or apparatus which was lawfully in use immediately before the appointed day.
- (5) If any person makes default in complying with any provision of this paragraph, the public gas supplier may cut off the supply of gas to him and shall not be required to resume the supply until the default has been remedied to his reasonable satisfaction.
- (6) A public gas supplier shall, as soon as is practicable after any person is first supplied with gas by him, give to that person notice of the effect of the preceding provisions of this paragraph; but this requirement shall not apply in the case of any person who is supplied with gas by the Corporation immediately before the appointed day, and to whom a notice has been given before that day pursuant to paragraph 18(6) of Schedule 4 to the 1972 Act (which imposes a similar requirement).

Status: This is the original version (as it was originally enacted).

- (7) A public gas supplier shall have power to disconnect, remove, test and replace any appliance which any person supplied with gas by him is required by this paragraph to keep in use, and any expenses incurred by the supplier under this sub-paragraph shall, if the appliance is found in proper order and repair, be paid by the supplier but otherwise shall be paid by that person.

Improper use of gas

- 9 If any person supplied with gas by a public gas supplier improperly uses or deals with the gas so as to interfere with the efficient supply of gas by the supplier (whether to that person or to any other person), the supplier may, if he thinks fit, discontinue the supply of gas to that person.

Injury to gas fittings and interference with meters

- 10 (1) If any person intentionally or by culpable negligence—
- (a) injures or allows to be injured any gas fitting belonging to a public gas supplier ;
 - (b) alters the index to any meter used for measuring the quantity of gas supplied by such a supplier ; or
 - (c) prevents any such meter from duly registering the quantity of gas supplied,
- he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (2) If an offence under sub-paragraph (1) above involves any injury to or interference with any gas fitting belonging to the public gas supplier, the supplier may also, until the matter has been remedied, but no longer, discontinue the supply of gas to the person so offending (notwithstanding any contract previously existing).
- (3) Where any person is prosecuted for an offence under subparagraph (1)(b) or (c) above, the possession by him of artificial means for causing an alteration of the index of the meter or, as the case may be, the prevention of the meter from duly registering shall, if the meter was in his custody or under his control, be prima facie evidence that the alteration or prevention was intentionally caused by him.

Restoration of supply without consent

- 11 (1) Where a supply of gas to any premises has been cut off by a public gas supplier otherwise than in the exercise of a power conferred by regulations under section 18(2) of this Act, no person shall, without the consent of the supplier, restore the supply.
- (2) If any person acts in contravention of sub-paragraph (1) above, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale and the supplier may again cut off the supply.

Failure to notify connection or disconnection of service pipe

- 12 (1) No person shall connect any meter with a service pipe through which gas is supplied by a public gas supplier, or disconnect any meter from any such pipe, unless he has given to the supplier, so that it is received by the supplier at least twenty-four hours before he does so, notice of his intention to do so, specifying the time and place of the proposed connection or disconnection.

Status: This is the original version (as it was originally enacted).

- (2) If any person acts in contravention of sub-paragraph (1) above, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

Prevention of escapes of gas

- 13 (1) Where any gas escapes from any pipe of a public gas supplier, or from any pipe or other gas fitting used by a person supplied with gas by a public gas supplier, the supplier shall, immediately after being informed of the escape, prevent the gas from escaping (whether by cutting off the supply of gas to any premises or otherwise).
- (2) If a public gas supplier fails within twelve hours from being so informed effectually to prevent the gas from escaping, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (3) In any proceedings for an offence under sub-paragraph (2) above it shall be a defence for the public gas supplier to prove that it was not reasonably practicable for him effectually to prevent the gas from escaping within the said period of twelve hours, and that he did effectually prevent the escape as soon as it was reasonably practicable for him to do so.
- (4) Where a public gas supplier has reasonable cause to suspect that gas supplied by him is escaping, or may escape, in any premises, any officer authorised by the supplier may, on production of some duly authenticated document showing his authority, enter the premises, inspect the gas fittings, carry out any work necessary to prevent the escape and take any other steps necessary to avert danger to life or property.
- (5) Where a public gas supplier has reasonable cause to suspect that gas supplied or conveyed by him which has escaped has entered, or may enter any premises, any officer authorised by the supplier may on production of some duly authenticated document showing his authority, enter the premises and take any steps necessary to avert danger to life or property.

Information as to escapes of gas

- 14 It shall be the duty of a public gas supplier to take such steps as are necessary to ensure that, if he is informed of an escape of gas that he is not required by paragraph 13 above to prevent, he passes the information on, as soon as reasonably practicable—
- (a) to the person who appears to the public gas supplier to be responsible (whether under that paragraph or otherwise) for preventing the escape ; or
- (b) in the case of an escape occurring in the authorised area of another public gas supplier, to that other public gas supplier.

Entry during continuance of supply

- 15 (1) Any officer authorised by a public gas supplier may at all reasonable times, on the production of some duly authenticated document showing his authority, enter any premises in which there is a service pipe connected with a gas main of the supplier for the purpose of—
- (a) inspecting gas fittings ;
- (b) ascertaining the quantity of gas supplied ;
- (c) performing the duty imposed on the supplier by paragraph 1 or 2 above;

Status: This is the original version (as it was originally enacted).

- (d) exercising the power conferred on the supplier by paragraph 4(3) or 8(7) above ; or
 - (e) in the case of premises where the supplier has reason to believe that a compressor or compressed air or extraneous gas is being used, inspecting the premises and ascertaining whether the provisions of paragraph 8 above are being complied with.
- (2) Paragraphs (a) and (b) of sub-paragraph (1) above do not apply where the consumer has applied in writing to the supplier for the supplier to disconnect the service pipe and cease to supply gas to the premises and the supplier has failed to do so within a reasonable time.
- (3) In this paragraph " compressor", " compressed air" and extraneous gas " have the same meanings as in paragraph 8 above.

Entry on discontinuance of supply

- 16 (1) Where—
- (a) a public gas supplier is authorised by any provision of this Act (including any such provision as applied by such an agreement as is mentioned in section 14(4) of this Act) to cut off or discontinue the supply of gas to any premises ;
 - (b) a person occupying premises supplied with gas by a public gas supplier ceases to require such a supply ;
 - (c) a person entering into occupation of any premises previously supplied with gas by a public gas supplier does not take a supply of gas from the supplier ; or
 - (d) a person entering into occupation of any premises previously supplied with gas through a meter belonging to a public gas supplier does not hire or borrow that meter,
- any officer authorised by the supplier, after twenty-four hours' notice to the occupier, or to the owner or lessee of the premises if they are unoccupied, may at all reasonable times, on production of some duly authenticated document showing his authority, enter the premises for the purpose of removing any gas fitting.
- (2) The notice required to be given by sub-paragraph (1) above may, in the case of unoccupied premises the owner or lessee of which is unknown to the supplier and cannot be ascertained after diligent inquiry, be given by affixing it upon a conspicuous part of the premises not less than forty-eight hours before the premises are entered.

Entry for replacing, repairing or altering pipes

- 17 (1) Any officer authorised by a public gas supplier, after seven clear days' notice to the occupier of any premises, or to the owner or lessee of any premises which are unoccupied, may at all reasonable times, on production of some duly authenticated document showing his authority, enter the premises for the purpose of—
- (a) placing a new pipe in the place of any existing pipe which has already been lawfully placed ; or
 - (b) repairing or altering any such existing pipe.
- (2) The notice required to be given by sub-paragraph (1) above may, in the case of unoccupied premises the owner or lessee of which is unknown to the supplier

Status: This is the original version (as it was originally enacted).

and cannot be ascertained after diligent inquiry, be given by affixing it upon a conspicuous part of the premises.

- (3) In cases of emergency arising from defects in any pipes entry may be made under sub-paragraph (1) above without the notice required to be given by that sub-paragraph, but the notice shall then be given as soon as possible after the occurrence of the emergency.

Provisions as to powers of entry

- 18 (1) Where in pursuance of any powers of entry conferred by this Part of this Schedule, entry is made on any premises by an officer authorised by a public gas supplier—
- (a) the officer shall ensure that the premises are left no less secure by reason of the entry ; and
 - (b) the supplier shall make good, or pay compensation for, any damage caused by the officer, or by any person accompanying him in entering the premises, in taking any action therein authorised by this Schedule, or in making the premises secure.
- (2) Any officer exercising powers of entry conferred by this Part of this Schedule may be accompanied by such persons as may be necessary or expedient for the purpose for which the entry is made, or for the purposes of sub-paragraph (1) above.
- (3) If any person intentionally obstructs any officer exercising powers of entry conferred by this Part of this Schedule, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (4) The Rights of Entry (Gas and Electricity Boards) Act 1954 (entry under a justice's warrant) shall apply in relation to any powers of entry conferred by this Part of this Schedule.

Gas fittings not to be subject to distress

- 19 (1) Any gas fittings let for hire or lent to a consumer by a public gas supplier and marked or impressed with a sufficient mark or brand indicating the supplier as the owner thereof—
- (a) shall not be subject to distress or be liable to be taken in execution under process of any court or any proceedings in bankruptcy against the person in whose possession they may be; and
 - (b) shall not be deemed to be landlord's fixtures, notwithstanding that they may be fixed or fastened to any part of the premises in which they may be situated.
- (2) In the application of sub-paragraph (1)(a) above to Scotland, for the word " distress" and the words " in bankruptcy against" there shall be substituted respectively the word "poinding" and the words " for the sequestration of the estate of ".

SCHEDULE 6

Section 60(4).

AMENDMENTS OF GAS LEVY ACT 1981

- 1 (1) In subsection (1) of section 1 of the Gas Levy Act 1981—

Status: This is the original version (as it was originally enacted).

- (a) for the words " their revenues by the British Gas Corporation (in this Act referred to as ' the Corporation')" there shall be substituted the words "his revenues by any person" ; and
- (b) for the words " the Corporation " , in the second place where they occur, there shall be substituted the words "that person".

(2) In subsection (2) of that section—

- (a) for the words "the Corporation", in the first two places where they occur, there shall be substituted the word's "any person";
- (b) for the words " has agreed " there shall be substituted the words "had agreed" ; and
- (c) for the words " the Corporation " , in the third place where they occur, there shall be substituted the words "the British Gas Corporation (in this section referred to as ' the Corporation')".

2 No order shall be made under section 2(3) of that Act specifying for the year 1991-92 or an earlier year a rate of levy higher than the rate for the preceding year.

3 For section 3 of that Act there shall be substituted the following section—

“3 Payment of levy.

- (1) Gas levy shall be paid to the Secretary of State in respect of each period of three months ending on 30th June, 30th September, 31st December or 31st March in any year (in this section referred to as a " chargeable period ").
- (2) It shall be the duty of any person liable to pay gas levy to deliver to the Secretary of State—
 - (a) within four weeks after the end of each chargeable period, a return for that period which complies with subsection (3) below; and
 - (b) within three months after the end of each year, a return for that year which so complies.
- (3) A return under subsection (2) above for any chargeable period or any year shall show the quantity, expressed both by volume and as a number of therms, of gas to which section 1 above applies which was supplied to or won by the person concerned in that period or that year.
- (4) Not later than six weeks after the end of any chargeable period a person who is liable to pay gas levy in respect of that period shall pay to the Secretary of State an amount equal to the amount of gas levy which would be due from him for that period if the amount due were calculated exclusively by reference to the return for that period.
- (5) If the amount which, otherwise than by way of interest, falls to be paid by any person under subsection (4) above in respect of the chargeable periods in any year differs from the actual amount of gas levy due from that person in respect of those periods, then not later than four months after the end of that year the amount of the difference shall—
 - (a) where the former amount is greater, be repaid by the Secretary of State to that person ; and
 - (b) where the latter amount is greater, be paid by that person to the Secretary of State.

Status: This is the original version (as it was originally enacted).

- (6) Where any amount falling to be paid under subsection (4) or (5) above is not paid within the period for payment specified in that subsection, that amount shall carry interest at the prescribed rate from the end of that period until payment; and in this subsection "paid" and "payment" include repaid and repayment, respectively.
- (7) In this section 'the prescribed rate' means the rate prescribed for the purposes of section 86 of the Taxes Management Act 1970."
- 4 (1) In subsection (1) of section 4 of that Act—
- (a) for the words "the Corporation", in the first place where they occur, there shall be substituted the words "any person";
 - (b) for the words "for any year shall only be payable" there shall be substituted the words "shall be payable by that person for any year only"; and
 - (c) for the words "the Corporation", in the second place where they occur, there shall be substituted the words "that person".
- (2) In subsection (2) of that section—
- (a) for the words "the Corporation", in the first place where they occur, there shall be substituted the words "the person concerned"; and
 - (b) for the words "the Corporation", in the second place where they occur, there shall be substituted the words "that person".
- 5 (1) In subsection (1) of section 5 of that Act—
- (a) for the words "the Corporation", in the first place where they occur, there shall be substituted the words "any person liable to pay gas levy";
 - (b) for the word "them" there shall be substituted the word "him";
 - (c) for the words "the Corporation are using or propose" there shall be substituted the words "that person is using or proposes"; and
 - (d) for the words "the Corporation", in the third place where they occur, there shall be substituted the words "that person".
- (2) For subsection (2) of that section there shall be substituted the following subsections—
- “(2) The Secretary of State may, after consultation with any person liable to pay gas levy, give to that person directions specifying descriptions of measuring and testing equipment which he is to install, maintain and use for the purposes of this Act.
 - (3) It shall also be the duty of any person liable to pay gas levy to furnish the Secretary of State with such returns, accounts and other information as he from time to time requires for the purpose of verifying returns delivered to him under section 3(2) above, and to afford to the Secretary of State facilities for the verification of information so furnished.”
- 6 After section 5 of that Act there shall be inserted the following section—
- “5A Offences.**
- (1) If any person without reasonable excuse—
- (a) fails to deliver a return under section 3(2) above within the time allowed for doing so; or

Status: This is the original version (as it was originally enacted).

- (b) fails to comply with a requirement imposed by or under section 5 above,
that person shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (2) If any person, in making any return under section 3(2) above or in giving any information required under section 5(3) above, makes any statement which he knows to be false in a material particular, or recklessly makes any statement which is false in a material particular, that person shall be liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum ;
(b) on conviction on indictment, to a fine.
- (3) Where a body corporate is guilty of an offence under this section and that offence is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or any person who was purporting to act in any such capacity he, as well as the body corporate, shall be guilty of that offence, and shall be liable to be proceeded against and punished accordingly.”
- 7 (1) In subsection (2) of section 6 of that Act for the words " the Corporation by virtue of section 3(4) " there shall be substituted the words "any person by virtue of section 3(5)(a)".
- (2) In subsection (3) of that section for the words " section 3(4)" there shall be substituted the words "section 3(5)(b)" "
- 8 In section 7(2) of that Act for the definition of " year " there shall be substituted the following definition—
“‘year’ means a period of twelve months ending with a 31st March.”

SCHEDULE 7

Section 67(1).

MINOR AND CONSEQUENTIAL AMENDMENTS

Interpretation

- 1 In this Schedule " public gas supplier " has the same meaning as in Part I of this Act.

Enactments relating to statutory undertakers etc.

- 2 (1) A public gas supplier shall be deemed to be a statutory undertaker and his undertaking a statutory undertaking for the purposes of the following enactments, namely—
- (i) the Public Health Act 1925 ;
(ii) the Public Health Act 1936 ;
(iii) Schedule 3 to the Water Act 1945 ;
(iv) the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 ;
(v) section 4 of the Requisitioned Land and War Works Act 1948;
(vi) the Water Act 1948 ;
(vii) the National Parks and Access to the Countryside Act 1949;

Status: This is the original version (as it was originally enacted).

- (viii) the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 ;
- (ix) the Landlord and Tenant Act 1954 ;
- (x) the Opencast Coal Act 1958 ;
- (xi) the Flood Prevention (Scotland) Act 1961 ;
- (xii) section 17(10) of the Public Health Act 1961 ;
- (xiii) the Pipe-lines Act 1962 ;
- (xiv) Schedule 3 to the Harbours Act 1964 ;
- (xv) Schedule 6 to the Gas Act 1965 ;
- (xvi) section 10 of the Highlands and Islands Development (Scotland) Act 1965 ;
- (xvii) section 56 of the Housing (Scotland) Act 1966 ;
- (xviii) section 40 of the Forestry Act 1967 ;
- (xix) section 50 of the Agriculture Act 1967 ;
- (xx) sections 38 and 66 of the Countryside (Scotland) Act 1967 ;
- (xxi) the New Towns (Scotland) Act 1968 ;
- (xxii) section 11 of and paragraph 6 of Schedule 2 to the Countryside Act 1968 ;
- (xxiii) section 22 of the Sewerage (Scotland) Act 1968 ;
- (xxiv) sections 22, 40, 48, 49, 118(2), 127 to 129, 132, 149, 165(3), 181, 182, 183, 186, 192, 206(6), 209(3), 210(2), 216, 222, 223, 225 to 241, 245(7)(a), 255, 281(6)(b) and 290(2) of, and Schedule 10, paragraphs 1 to 3 of Schedule 19 and Schedule 20 to, the Town and Country Planning Act 1971 ;
- (xxv) sections 19, 37, 45, 46, 108(2), 117 to 119, 121, 138, 154(3), 170 to 172, 175, 181, 195(6), 198(3), 199(2), 202(3), 205, 211, 212, 214, 216 to 230, 233(7), 242, 259, 266(6) and 275 (2) of, and Schedule 8, paragraphs 1 to 3 of Schedule 17 and Schedule 18 to, the Town and Country Planning (Scotland) Act 1972;
- (xxvi) paragraph 36 of Schedule 16 to the Local Government Act 1972 ;
- (xxvii) sections 51 and 71 of the Land Compensation Act 1973 ;
- (xxviii) sections 47 and 67 of the Land Compensation (Scotland) Act 1973 ;
- (xxix) section 73 of the Control of Pollution Act 1974 ;
- (xxx) sections 33, 34 and 36A of the Housing (Scotland) Act 1974. ;
- (xxxi) section 10(4) of the Scottish Development Agency Act 1975. ;
- (xxxii) the Welsh Development Agency Act 1975 ;
- (xxxiii) sections 15(3) and 26 of the Local Government (Miscellaneous Provisions) Act 1976 ;
- (xxxiv) the Development of Rural Wales Act 1976 ;
- (xxxv) section 9(3) of the Inner Urban Areas Act 1978 ;
- (xxxvi) section 13 of the Electricity (Scotland) Act 1979 ;
- (xxxvii) the Ancient Monuments and Archaeological Areas Act 1979 ;
- (xxxviii) section 16 of and Schedule 4 to the Water (Scotland) Act 1980 ;
- (xxxix) Parts XII and XVI and section 120 of the Local Government, Planning and Land Act 1980 ;
- (xl) the Highways Act 1980 ;
- (xli) the New Towns Act 1981 ;
- (xlii) the Acquisition of Land Act 1981 ;
- (xliii) the Civil Aviation Act 1982 ;
- (xliv) section 30 of the Local Government (Miscellaneous Provisions) Act 1982 ;

Status: This is the original version (as it was originally enacted).

- (xlv) section 2(2)(c) of the Cycle Tracks Act 1984 ;
 - (xlvi) the Roads (Scotland) Act 1984 ;
 - (xlvii) the Building Act 1984 ;
 - (xlviii) sections 283(2) and 296 of the Housing Act 1985.
- (2) References to gas undertakers in the following enactments shall have effect as references to a public gas supplier, namely—
- (a) section 17(1)(b) of the Requisitioned Land and War Works Act 1945 ;
 - (b) the Local Government (Omnibus Shelters and Queue Barriers) (Scotland) Act 1958 ;
 - (c) section 215(2)(a) of the Town and Country Planning Act 1971 ;
 - (d) section 204(2)(a) of the Town and Country Planning (Scotland) Act 1972 ;
 - (e) sections 73(11)(c) and 74(11)(b) of the Highways Act 1980 ;
 - (f) section 48(6)(c) of the Civil Aviation Act 1982 ;
 - (g) paragraph 3 of Schedule 5 to the Road Traffic Regulation Act 1984.
- (3) References in the Landlord and Tenant Act 1927 to a statutory company shall be deemed to include references to a public gas supplier.
- (4) References to public utility undertakers in the Civil Defence Act 1939 shall be deemed to include references to a public gas supplier.
- (5) A public gas supplier shall be deemed to be an undertaker for the purposes of sections 157 to 160 of the Highways Act 1980.
- (6) A public gas supplier shall be deemed to be an excepted undertaker for the purposes of section 6 of the Water Act 1981
- (7) Paragraph 23 of Schedule 2 to the Telecommunications Act 1984 (undertakers' works) shall apply to a public gas supplier for the purposes of any works carried out by him.
- (8) The reference in section 82(4) of the Building Act 1984 (provisions with respect to demolition orders) to a person authorised by an enactment to carry on an undertaking for the supply of gas shall have effect as a reference to a public gas supplier.
- (9) In the following enactments, namely—
- (a) the Water Act 1948 ;
 - (b) section 39 of the Opencast Coal Act 1958 ;
 - (c) paragraph 2 of Schedule 6 to the Gas Act 1965 ;
 - (d) the New Towns (Scotland) Act 1968 ;
 - (e) sections 206(6), 225 to 238, 281(6)(b) and 290(2) of, and Schedule 10 to, the Town and Country Planning Act 1971 ;
 - (f) sections 195(6), 214 to 227, 266(6)(b) and 275(2) of, and Schedule 8 to, the Town and Country Planning (Scotland) Act 1972;
 - (g) section 10(4) of the Scottish Development Agency Act 1975 ;
 - (h) the Welsh Development Agency Act 1975 ;
 - (i) the Development of Rural Wales Act 1976 ;
 - (j) the New Towns Act 1981,
- "the appropriate Minister", in relation to a public gas supplier shall mean the Secretary of State for Energy.

Status: This is the original version (as it was originally enacted).

- (10) In the following enactments, namely—
- (a) the Pipe-lines Act 1962 ;
 - (b) Schedule 3 to the Harbours Act 1964 ;
 - (c) Section 121 of the Highways Act 1980 ; and
 - (d) the Acquisition of Land Act 1981,
" the appropriate Minister", in relation to a public gas supplier, shall mean the Secretary of State.

The Water Act 1945

- 3 (1) Section 24(6) of the Water Act 1945 (power of statutory water undertaker to acquire land by agreement or compulsorily) shall have effect as if the reference to any persons authorised by any enactment to carry on any gas undertaking were a reference to a public gas supplier.
- (2) In paragraph (c) of the proviso to section 70 of Schedule 3 to that Act (provisions to be incorporated in orders relating to water undertakings), for the words from " gas undertakers " to " them " there shall be substituted the words "public gas supplier (within the meaning of Part I of the Gas Act 1986), except under the supervision (if given) of an authorised officer of that supplier and in accordance with plans approved by that supplier".

The Rights of Entry (Gas and Electricity Boards) Act 1954

- 4 (1) In section 1(2) of the Rights of Entry (Gas and Electricity Boards) Act 1954—
- (a) for the words " the Gas Act 1972 or regulations made there under, by any other enactment relating to gas " there shall be substituted the words "the Gas Act 1986 or regulations made under it, by any other enactment relating to gas" ; and
 - (b) for the words "the British Gas Corporation or an Electricity Board" there shall be substituted the words "a public gas supplier or an Electricity Board".
- (2) In section 2(1)(a) of that Act—
- (a) for the words " the Corporation or an " there shall be substituted the words "a public gas supplier or an" ; and
 - (b) for the words " the Corporation or such" there shall be substituted the words "a public gas supplier or such".
- (3) In the said section 2(1), for the words " the Corporation or Board or their employee ", in both places where they occur, there shall be substituted the words "the supplier or Board or his or their employee".
- (4) In section 2(3) of that Act, for the words " section 44 of the Gas Act 1972 (if entry is required for the purposes of the Corporation) " there shall be substituted the words "section 46 of the Gas Act 1986 (if entry is required for the purposes of a public gas supplier)".
- (5) In section 3(1) of that Act—
- (a) the definition of " the Corporation " shall be omitted ;
 - (b) for the definition of " employee " there shall be substituted the following definition—

Status: This is the original version (as it was originally enacted).

“ ‘employee’, in relation to a public gas supplier or to an Electricity Board, means an officer, servant or agent of the supplier or of the Board ;”;

- (c) after the definition of “ premises” there shall be inserted the following definition—

“ ‘public gas supplier’ has the same meaning as in Part I of the Gas Act 1986 ;”.

The Pipe-lines Act 1962

- 5 (1) In section 58(1) of the Pipe-lines Act 1962 (statutory bodies to whom, or in relation to whose pipe-lines, certain provisions of that Act do not apply), for paragraph (a) there shall be substituted the following paragraph—

“(a) a public gas supplier within the meaning of Part I of the Gas Act 1986 ;”.

- (2) Notwithstanding subsection (4) of the said section 58, but subject to sub-paragraph (3) below, the references to a pipe-line in sections 27(1) and 31(1) of the said Act of 1962 (protection of pipe-lines imperilled by buildings, structures or deposits) shall include references to any pipe-line vested in a public gas supplier other than one laid in a street or a service pipe.

- (3) The application by virtue of sub-paragraph (2) above of the said section 27(1) and the said section 31(1) to a particular part of any pipe-line shall be dependent upon there having been previously deposited with every local authority in whose area the part lies by the public gas supplier a map, on a scale not less than 1 in 10,560, showing the route taken by the part.

- (4) A local authority holding a map relating to a pipe-line vested in a public gas supplier shall keep the map at their offices, and shall secure that it is open to inspection by any person at all reasonable times free of charge.

- (5) In this paragraph—

“ local authority ” means—

- (a) in England and Wales, the council of a county, district or London borough, and the Common Council of the City of London; and
 (b) in Scotland, an islands or district council ;

“ street ” has the same meaning as in the Public Utilities Street Works Act 1950.

- (6) In its application to Scotland this paragraph shall have effect as if for the word street, in both places where it occurs there were substituted the word “ road ”.

The Gas Act 1965

- 6 (1) The Gas Act 1965—

- (a) shall have effect without the amendments made by paragraph 14 of Schedule 6 to the 1972 Act and the associated repeals made by Schedule 8 to that Act; and
 (b) as so having effect, shall be amended as follows.

- (2) In Part II, for the words “ gas authority ”, wherever they occur, there shall be substituted the words “ public gas supplier ”.

Status: This is the original version (as it was originally enacted).

- (3) In Part II, for the words "section 11 of the principal Act", wherever they occur, there shall be substituted the words "Schedule 3 to the principal Act".
- (4) In section 4(2), the words from " shall relate only " to " statutory corporation and " shall be omitted.
- (5) In section 5(5), for the words " inform the Minister that they object" there shall be substituted the words "informs the Minister that he objects".
- (6) In section 6(1), for the word " apply " there shall be substituted the word "applies", for the word " satisfy " there shall be substituted the word "satisfies" and for the words " they think " there shall be substituted the words "he thinks".
- (7) In section 6(2), for the words " have taken " there shall be substituted the words "has taken" and for the word " them" there shall be substituted the word "him".
- (8) In section 6(3), for the word " them " there shall be substituted the word "him".
- (9) In section 6(4), for the word " their " there shall be substituted the word "his" and for the word " cause" there shall be substituted the word "causes".
- (10) In section 6(8), for the word " apply " there shall be substituted the word "applies" and for the word " they " there shall be substituted the word "he".
- (11) In section 13(3), for the word " propose " there shall be substituted the word "proposes" and for the words " the said section 11 " there shall be substituted the words "the said Schedule 3".
- (12) In section 15(2), for the word "their" there shall be substituted die word "his".
- (13) In section 16(1), for the words " develop or operate " there shall be substituted the words "develops or operates".
- (14) In sections 16(5) and 18(9), for the word " fail" there shall be substituted the word "fails".
- (15) In section 17(5), for the word " them " there shall be substituted the word "him".
- (16) In section 19(3)—
 - (a) at the beginning there shall be inserted the words "Every public gas supplier to whom a storage authorisation order applies during any period shall pay to the Minister such proportion as the Minister may determine of" ; and
 - (b) for the words " shall be repaid to him by the Gas Council and " there shall be substituted the words "and any sums received by the Minister under this subsection shall be".
- (17) In section 19(4), for the words "the Gas Council in respect of sums payable by them " there shall be substituted the words "a public gas supplier in respect of sums payable by him".
- (18) In section 21(1), for the words " Section 68(1)" there shall be substituted the words "Section 43(1)".
- (19) In section 21(2), for the words "Section 69(1)" there shall be substituted the words "Section 43(2)" and for the words " section 68(1) " there shall be substituted the words "section 43(1)".

Status: This is the original version (as it was originally enacted).

- (20) In section 21(3), the words "any gas authority or" and the words " authority or", in the second place where they occur, shall be omitted.
- (21) In section 22(1), for the words " Section 70 " there shall be substituted the words "Section 46".
- (22) In section 22(2), for the words " Section 73 of the principal Act" there shall be substituted the words "Section 46 of the Gas Act 1972" and for the words " the principal Act", in the second place where they occur, there shall be substituted the words "that Act".
- (23) In section 27(1), for the words " the Corporation " there shall be substituted the words "the public gas supplier concerned".
- (24) In section 28(1)—
- (a) the definition of " gas authority " shall be omitted ; and
 - (b) for the definition of " large-scale map " there shall be substituted the following definition—
“ large-scale map' means a map drawn on a scale not less than 1 in 10,560 ;”
- (25) In section 32(2), for the words " the Gas Act 1948, ' Area Board' has the same meaning as in " there shall be substituted the words " the Gas Act 1986, ' public gas supplier' has the same meaning as in Part I of".
- (26) In Schedule 2—
- (a) for the words " the applicants ", wherever they occur, there shall be substituted the words "the applicant";
 - (b) for the words " their proposals ", wherever they occur, there shall be substituted the words "his proposals";
 - (c) for the words " their application", wherever they occur, there shall be substituted the words "his application";
 - (d) for the words " section 73 of the principal Act", wherever they occur, there shall be substituted the words "section 46 of the Gas Act 1972";
 - (e) in paragraph 5(2), for the words "the applicants*" there shall be substituted the words "the applicant's";
 - (f) in paragraph 9(1), for the words " they have been, or expect " there shall be substituted the words "he has been, or expects" and for the words "they must" there shall be substituted the words "he must";
 - (g) in paragraph 9(2), for the word " have ", in both places where it occurs, there shall be substituted the word "has" ; and
 - (h) in paragraph 14(1), for the words " gas authorities " there shall be substituted the words "public gas suppliers".
- (27) In Schedule 6—
- (a) for the words " the applicants ", wherever they occur, there shall be substituted the words "the applicant";
 - (b) in paragraph 1(2), for the words "their application" there shall be substituted the words "his application";
 - (c) in paragraph 1(4), for the words "their proposals" there shall be substituted the words "his proposals";

Status: This is the original version (as it was originally enacted).

- (d) in paragraph 5, for the words " gas board " there shall be substituted the words "public gas supplier";
- (e) in paragraph 7(1), for the words " their powers " there shall be substituted the words "his powers" ; and
- (f) in paragraph 7(2), for the words " their duty " there shall be substituted the words "his duty".

The Local Government (Scotland) Act 1966

- 7 In section 18(4) of the Local Government (Scotland) Act 1966, for the words "the British Gas Corporation" there shall be substituted the words "a public gas supplier within the meaning of Part I of the Gas Act 1986".

The General Rate Act 1967

- 8 (1) In section 19(6) of the General Rate Act 1967 (definitions for purposes of the general rule for the ascertainment of rateable value), in paragraph (b) of the definition of " non-industrial building ", after sub-paragraph (ii) there shall be inserted “; or
(iii) any public gas supplier (within the meaning of Part I of the Gas Act 1986) or any private gas supplier (within the meaning of section 33A below).”
- (2) For section 33 of that Act there shall be substituted the following section—

“33 Public gas suppliers

- (1) Subject to subsection (2) and without prejudice suppliers to subsections (3) and (5) of this section, no premises occupied by a public gas supplier (within the meaning of Part I of the Gas Act 1986) to whom this section is applied by order of the Secretary of State shall be liable to be rated or to be included in any valuation list or in any rate ; and in the following provisions of this section and in Schedule 6 to this Act ' relevant supplier ' means any public gas supplier to whom this section is so applied.
- (2) The foregoing subsection shall not apply—
 - (a) to premises used as a dwelling ; or
 - (b) to premises occupied by a relevant supplier wholly or mainly for the purposes of an undertaking for the supply of water ; or
 - (c) to premises occupied and used by a relevant supplier wholly or mainly for the manufacture of plant or gas fittings ; or
 - (d) to a shop, room or other place occupied and used by a relevant supplier wholly or mainly for the sale, display or demonstration of apparatus or accessories for use by consumers of gas (any use for the receipt of payments for gas supplied being disregarded); or
 - (e) subject and without prejudice to the provisions of paragraph 5 of Schedule 6 to this Act, to office premises occupied by a relevant supplier and not situated on operational land of his.
- (3) For the purposes of the making and levying of a rate for any rating area for any rate period, if in the penultimate year—
 - (a) a relevant supplier—
 - (i) supplied gas to consumers in that area; or

Status: This is the original version (as it was originally enacted).

- (ii) manufactured gas in that area ; or
 - (iii) produced gas in that area by the application to gas purchased by him of any process not consisting only of purification, or of blending with other gases, or of both purification and such blending; or
 - (b) private gas suppliers (within the meaning of section 33A of this Act) supplied to consumers in that area gas which had been conveyed (whether within or outside that area) by pipelines belonging to a relevant supplier,
the relevant supplier shall be treated as occupying in that area during that rate period a hereditament of a rateable value calculated in accordance with the provisions of an order under section 19 of, and paragraph 3 of Schedule 3 to, the Local Government Act 1974.
- (4) The hereditament which a relevant supplier is to be treated as occupying in a rating area by virtue of subsection (3) of this section shall be taken not to be situated in any part of that area in which there are leviable, as an additional item of the rate, expenses which are not leviable in the area taken as a whole.
- (5) If the Secretary of State is of opinion that payments by way of rates should be made by a relevant supplier by virtue of this subsection by reference to any premises occupied and used by him for the reception or liquefaction of gas or the evaporation of gas in a liquid state, being in any case gas purchased by him, the Secretary of State may, subject to paragraph 6 of Schedule 6 to this Act, make an order designating the premises for the purposes of this subsection and providing for the determination, by such method as may be specified by the order, of a value for the premises for those purposes.
- (6) Where an order under subsection (5) of this section is in force, the relevant supplier shall be treated for rating purposes as occupying within the rating area in which the premises designated by the order are situated (and whether or not the relevant supplier occupies or is treated as occupying any other hereditament in that area) a hereditament of a rateable value equal to the value determined as mentioned in that subsection.
- (7) Subject to paragraph 6 of Schedule 6 to this Act, the Secretary of State may by order provide that, in such of the provisions of this section, the said Schedule 6, or any other enactment relating to rating as may be specified in the order, any reference to the manufacture of gas shall include a reference to such dealings with gas as may be specified by the order.
- (8) There shall have effect for the purposes of this section and an order under section 19 of, and paragraph 3 of Schedule 3 to, the Local Government Act 1974, the supplementary provisions contained in Schedule 6 to this Act; and for the purposes of this section, such an order and that Schedule—
- (a) the expression ' gas' means any substance which is or (if it were in a gaseous state) would be gas within the meaning of Part I of the Gas Act 1986 and, without prejudice to the provisions of any order under subsection (7) of this section, the following operations—
 - (i) the liquefaction of gas, and
 - (ii) the evaporation of gas in a liquid state,shall not of themselves be taken to constitute the manufacture of gas or the application of a process to gas;

Status: This is the original version (as it was originally enacted).

- (b) the expression 'penultimate year', in relation to a rate period or to a year, means the last but one year before that rate period or year ;
- (c) the expressions ' office premises' and ' operational land' have the meanings respectively assigned to them by section 32(8) of this Act.”

(3) After that section there shall be inserted the following section—

“33A Private gas suppliers.

(1) The Secretary of State may by order provide that, in such cases and subject to such exceptions and modifications as may be prescribed by the order, section 33 of and Schedule 6 to this Act shall apply to premises occupied by private gas suppliers for or in connection with the supply of gas through pipes to consumers' premises.

(2) In this section—

' gas' has the same meaning as in Part I of the Gas Act 1986 ;

' private gas supplier' means a person who is authorised by section 6 of the said Act of 1986, or by an authorisation under section 8 of that Act, to supply gas through pipes to consumers' premises.

(3) Any statutory instrument containing an order under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.”

(4) In paragraph 5(1)(b) of Schedule 3 to that Act (classes of machinery or plant deemed to be part of hereditament), for the words " the British Gas Corporation " there shall be substituted the words "a public gas supplier within the meaning of Part I of the Gas Act 1986".

(5) For Schedule 6 to that Act there shall be substituted the following Schedule—

“SCHEDULE 6

PUBLIC GAS SUPPLIERS

- 1 As respects each rating area in which a relevant supplier will fall to be treated as occupying during any rate period a hereditament of a rateable value calculated in accordance with an order under section 19 of, and paragraph 3 of Schedule 3 to, the Local Government Act 1974, it shall be the duty of the supplier, before the end of the month of October preceding the beginning of that period, to transmit to the rating authority and to the valuation officer a statement setting out particulars of all the matters referred to in such an order and relevant to the purpose of computing the rateable value of that hereditament.
- 2 On receipt of a statement under paragraph 1 above, the valuation officer shall calculate the rateable value of the hereditament which the relevant supplier is to be treated as occupying during the rate period in question, and shall notify the amount of that rateable value to the rating authority before the end of the month of December preceding the beginning of that rate period.

Status: This is the original version (as it was originally enacted).

- 3 The duty imposed on a relevant supplier by paragraph 1 above shall be enforceable by civil proceedings by the rating authority or the valuation officer for an injunction or for any other appropriate relief ; and the duty imposed on the valuation officer by paragraph 2 above shall be enforceable by mandamus at the instance of the rating authority.
- 4 (1) Where the valuation officer notifies the amount of a rateable value to the rating authority in accordance with paragraph 2 above—
- (a) the rating authority, in making and levying any rate for a rate period to which the notification relates, shall include the relevant supplier as the occupier of a hereditament of that rateable value ; and
- (b) the valuation officer, at or as soon as may be after the beginning of the year consisting of any such rate period, shall cause such alterations (if any) to be made in the valuation list as may be requisite for showing the relevant supplier in the list as the occupier of a hereditament of that rateable value, and if any such alteration is made after the beginning of the year, it shall be treated as having been made at the beginning of the year.
- (2) If the year referred to in sub-paragraph (1)(b) above is a year beginning with the date on which a new valuation list comes into force, that sub-paragraph shall not apply, but the valuation officer shall include the relevant supplier in the list as the occupier of a hereditament of the said rateable value.
- 5 For the purposes of section 33(2)(e) of this Act, paragraph 8 of Schedule 5 to this Act shall have effect as if for any reference therein to section 32(2)(b) of this Act there were substituted a reference to the said section 33(2)(e), and as if it provided for the determination of any such question as is mentioned in subparagraph (3) or (4) thereof by the Secretary of State for Energy.
- 6 Before making any such order under section 33(5) or (7) of this Act, the Secretary of State shall consult with the relevant supplier, with such associations of local authorities as appear to him to be concerned, and with any local authority with whom consultation appears to him to be desirable ; and any such order—
- (a) may contain such incidental, supplemental and consequential provisions, including any provisions altering any enactment or instrument, as the Secretary of State considers expedient for the purposes of the order ; and
- (b) shall be subject to annulment in pursuance of a resolution of either House of Parliament.”

The Transport Act 1968

- 9 In section 109(2) of the Transport Act 1968 (power of certain bodies to maintain or take over waterways and connected works), for paragraph (d) there shall be substituted the following paragraph—
- “(d) a public gas supplier within the meaning of Part I of the Gas Act 1986 ;”.

Status: This is the original version (as it was originally enacted).

The Post Office Act 1969

- 10 In section 7(1A) of the Post Office Act 1969 (powers of the Post Office), after paragraph (c) there shall be inserted the following paragraph—
“(ca) a public gas supplier (within the meaning of Part I of the Gas Act 1986);”.

The Chronically Sick and Disabled Persons Act 1970

- 11 In section 14(1) of the Chronically Sick and Disabled Persons Act 1970 (miscellaneous advisory committees), for the words "the National Gas Consumers' Council and the Regional Gas Consumers' Councils " there shall be substituted the words "the Gas Consumers' Council".

The Town and Country Planning Act 1971

- 12 In section 223(2) of the Town and Country Planning Act 1971 (cases in which land is to be treated as not being operational land of statutory undertakers), for the words " the Gas Act 1972 or " there shall be substituted the words "the Gas Act 1986 or".

The Town and Country Planning (Scotland) Act 1972

- 13 In section 212(2) of the Town and Country Planning (Scotland) Act 1972 (cases in which land is to be treated as not operational land of statutory undertakers), for the words " the Gas Act 1972 " there shall be substituted the words "the Gas Act 1986".

The Land Compensation Act 1973

- 14 (1) In section 44(2) of the Land Compensation Act 1973 (compensation for injurious affection), for the words "paragraph 13 of Schedule 2 to the Gas Act 1972 " there shall be substituted the words "paragraph 7 of Schedule 3 to the Gas Act 1986".
(2) In section 58(2) of that Act (determination of material detriment where part of house etc. proposed for compulsory acquisition), for the words "paragraph 14 of Schedule 2 to the Gas Act 1972" there shall be substituted the words "paragraph 8 of Schedule 3 to the Gas Act 1986".

The Fair Trading Act 1973

- 15 (1) The Director General of Fair Trading shall consult with the Director before publishing under section 124 of the Fair Trading Act 1973 (publication of information or advice) any information or advice which the Director has power to publish under section 35(1) of this Act.
(2) Section 125(1) of that Act (annual and other reports) shall not apply to activities of the Monopolies and Mergers Commission on which the Director is required to report by section 39(1) of this Act.
(3) In section 133(2) of that Act (exceptions to general restriction on disclosure of information), after the words " the Director General of Telecommunications," there shall be inserted the words "the Director General of Gas Supply," and after the words "the Telecommunications Act 1984," there shall be inserted the words " or the Gas Act 1986,".

Status: This is the original version (as it was originally enacted).

- (4) In Part I of Schedule 5 to that Act (goods and services referred to in section 16 of that Act), for paragraphs 1 and 2 there shall be substituted the following paragraph—

“1 Gas supplied through pipes to tariff customers (within the meaning of Part I of the Gas Act 1986).”

The Land Compensation (Scotland) Act 1973

- 16 (1) In section 41(2) of the Land Compensation (Scotland) Act 1973 (compensation for injurious affection), for the words " paragraph 26 of Schedule 2 to the Gas Act 1972 " there shall be substituted the words "paragraph 24 of Schedule 3 to the Gas Act 1986".
- (2) In section 54(2) of that Act (determination of material detriment where part of house etc. proposed for compulsory acquisition), for the words " paragraph 24 of Schedule 2 to the Gas Act 1972 " there shall be substituted the words "paragraph 22 of Schedule 3 to the Gas Act 1986".

The Local Government Act 1974

- 17 In Schedule 3 to the Local Government Act 1974 (hereditaments for determining the rateable value of which provision may be made under section 19(1) of that Act), for paragraph 3 there shall be substituted the following paragraphs—
- “3 Any hereditament which a relevant supplier (within the meaning of section 33 of the principal Act) is to be treated as occupying in a rating area by virtue of that section.
- 3A Any hereditament which a private gas supplier (within the meaning of section 33A of the principal Act) is to be treated as occupying in a rating area by virtue of section 33 of that Act as applied by order under the said section 33A.
- 3B (1) Any hereditament occupied for or in connection with the conveyance of gas through pipes other than one falling within paragraph 3 or 3A above.
- (2) In this paragraph ' gas' has the same meaning as in Part I of the Gas Act 1986.”

The Health and Safety at Work etc. Act 1974

- 18 At the end of section 34 of the Health and Safety at Work etc. Act 1974 (extension of time for bringing summary proceedings) there shall be inserted the following subsection—
- “(6) In the application of subsection (4) above to Scotland, after the words ' applies to' there shall be inserted the words ' any offence under section 33(1) (c) above where the health and safety regulations concerned were made for the general purpose mentioned in section 18(1) of the Gas Act 1986 and ' . ”

The Consumer Credit Act 1974

- 19 In section 174(3)(a) of the Consumer Credit Act 1974 (exceptions to general restriction on disclosure of information), after the words " the Telecommunications Act 1984 " there shall be inserted the words "or the Gas Act 1986" and after the

Status: This is the original version (as it was originally enacted).

words " the Director General of Telecommunications," there shall be inserted the words " the Director General of Gas Supply,".

The Oil Taxation Act 1975

20 In paragraph 2A(4) of Schedule 3 to the Oil Taxation Act 1975 (petroleum revenue tax: miscellaneous provisions), for paragraphs (a) and (b) there shall be substituted the following paragraphs—

- “(a) that any authorisation granted under section 7 or 8 of the Gas Act 1986 for the supply of the gas applies to the supply of the gas under the contract mentioned in subparagraph (2) of that paragraph ; and
- (b) that no authorisation is required under those sections for the supply of the gas under that contract if no such authorisation is required for the supply of the gas.”

The Local Government (Scotland) Act 1975

21 In Schedule 1 to the Local Government (Scotland) Act 1975—

- (a) in paragraphs 3 to 3B, for references to the Corporation there shall be substituted references to a public gas supplier ;
- (b) in paragraph 3, there shall be added at the end the following sub-paragraph—

“(3) In this paragraph and in paragraphs 3A and 3B below—

' gas' means any substance which is or (if it were in a gaseous state) would be gas within the meaning of Part I of the Gas Act 1986 ;

' public gas supplier' has the same meaning as in Part I of the Gas Act 1986 ;

' private gas supplier' means a person who is authorised by section 6 of the said Act of 1986, or by an authorisation under section 8 of that Act,, to supply gas through pipes to consumers' premises.”; and

- (c) in paragraphs 3A and 3B, for references to a private supplier there shall be substituted references to a private gas supplier.

The Coal Industry Act 1975

22 Paragraph 5(3) of Schedule 1 to the Coal Industry Act 1975 (supplementary provisions relating to right to withdraw support) shall have effect as if the reference to a company or other body or person carrying on an undertaking primarily for the supply of gas for public purposes or to members of the public were a reference to a public gas supplier.

The Restrictive Trade Practices Act 1976

23 In section 41(1)(a) of the Restrictive Trade Practices Act 1976 (disclosure of information), after the words " the Director General of Telecommunications," there shall be inserted the words "the Director General of Gas Supply," and after the words " or the Telecommunications Act 1984" there shall be inserted the words "or the Gas Act 1986".

Status: This is the original version (as it was originally enacted).

The Local Government (Miscellaneous Provisions) Act 1976

- 24 In section 33 of the Local Government (Miscellaneous Provisions) Act 1976 (restoration or continuation of supply of water, gas or electricity), for the word "undertakers", wherever it occurs, there shall be substituted the word "person".

The Land Drainage Act 1976

- 25 In section 112(2)(a) of the Land Drainage Act 1976 (protection of nationalised undertakings etc.), for the words " the British Gas Corporation " there shall be substituted the words "any public gas supplier within the meaning of Part I of the Gas Act 1986".

The Energy Act 1976

- 26 (1) In section 9(1) of the Energy Act 1976 (liquefaction of offshore natural gas), for the words from " with consent" to " such consent" there shall be substituted the words "authorised by an authorisation under section 7 or 8 of the Gas Act 1986 and in compliance with any conditions of that authorisation, or providing a supply for which such an authorisation".
- (2) In section 12(2) of that Act (disposal of gas by flaring), for the words " the British Gas Corporation " there shall be substituted the words "a public gas supplier within the meaning of Part I of the Gas Act 1986".

The Estate Agents Act 1979

- 27 In section 10(3)(a) of the Estate Agents Act 1979 (exceptions to restrictions on disclosure of information), after the words " the Telecommunications Act 1984" there shall be inserted the words "or the Gas Act 1986" and after the words " the Director General of Telecommunications," there shall be inserted the words "the Director General of Gas Supply,".

The Competition Act 1980

- 28 (1) In subsection (2)(a) of section 19 of the Competition Act 1980 (exceptions to restriction on disclosure of information), after the words " the Director General of Telecommunications," there shall be inserted the words "the Director General of Gas Supply,".
- (2) In subsection (3) of that section, at the end there shall be inserted the following paragraph—
- “(h) the Gas Act 1986.”

The Acquisition of Land Act 1981

- 29 In section 28 of the Acquisition of Land Act 1981 (acquisition of rights over land by the creation of new rights), paragraph (a) shall be omitted and after paragraph (f) there shall be inserted the following paragraph—
- “(g) paragraph 1 of Schedule 3 to the Gas Act 1986.”

Status: This is the original version (as it was originally enacted).

The Building Act 1984

- 30 In section 80(3) of the Building Act 1984 (notice to local authority of intended demolition), for paragraph (b) there shall be substituted the following paragraph—
“(b) any public gas supplier (as defined in Part I of the Gas Act 1986) in whose authorised area (as so defined) the building is situated,”.

The Insolvency Act 1985

- 31 In sections 97(2)(a) and 200(4)(a) of the Insolvency Act 1985 (supplies by utilities to insolvency practitioners), for the words " the British Gas Corporation" there shall be substituted the words "a public gas supplier within the meaning of Part I of the Gas Act 1986".

The Bankruptcy (Scotland) Act 1985

- 32 In section 70(4)(a) of the Bankruptcy (Scotland) Act 1985 (supplies by utilities), for the words " the British Gas Corporation " there shall be substituted the words "a public gas supplier within the meaning of Part I of the Gas Act 1986".

SCHEDULE 8

Section 67(3).

TRANSITIONAL PROVISIONS AND SAVINGS

PART I

PROVISIONS AND SAVINGS COMING INTO FORCE ON APPOINTED DAY

- 1 (1) A notification received or given by the Secretary of State under subsection (1) of section 29A of the 1972 Act which is effective on the appointed day shall have effect as if received or given by the Secretary of State under subsection (1) of section 6 of this Act; and the provisions of this Act shall apply accordingly.
- (2) A direction given by the Secretary of State under subsection (2) of the said section 29 A which is effective on the appointed day shall have effect as if given by the Secretary of State under subsection (2) of the said section 6; and the provisions of this Act shall apply accordingly.
- 2 A consent given or having effect as if given under section 29 of the 1972 Act by the Secretary of State which is effective on the appointed day shall have effect as an authorisation granted by the Secretary of State under section 8 of this Act; and the provisions of this Act shall apply accordingly.
- 3 Any regulations made under section 25 of the 1972 Act which are effective on the appointed day shall have effect as if—
(a) they were made under section 12 of this Act; and
(b) references in those regulations to the Corporation were references to a public gas supplier within the meaning of Part I of this Act;
and the provisions of this Act shall apply accordingly.
- 4 Any regulations made or having effect as if made under section 29B of the 1972 Act which are effective on the appointed day shall have effect as if—

Status: This is the original version (as it was originally enacted).

- (a) they were made under section 16 of this Act; and
 - (b) references in those regulations to the Corporation were references to a public gas supplier within the meaning of Part I of this Act;
- and the provisions of this Act shall apply accordingly.
- 5 Any meter which immediately before the appointed day is, or is treated as, stamped under section 30 of the 1972 Act shall be treated as stamped under section 17 of this Act.
- 6 (1) This paragraph applies to any regulations made or having effect as if made under section 31 of the 1972 Act which—
- (a) are effective on the appointed day; and
 - (b) do not make such provision as is mentioned in subsections
- (2) Any regulations to which this paragraph applies shall have effect as if made under section 15 of the Health and Safety at Work etc. Act 1974 for the general purpose mentioned in section 18(1) of this Act; and, subject to sub-paragraph (3) below, the provisions of Part I of that Act and the provisions of this Act shall apply accordingly.
- (3) Section 1(2) of the said Act of 1974 shall have effect as if any regulations to which this paragraph applies were in force under an enactment specified in the third column of Schedule 1 to that Act
- (4) Section 20 of the said Act of 1974 shall have effect as if anything done before the appointed day in contravention of any regulations to which this paragraph applies had been done on or after that day.
- 7 (1) A direction given by the Secretary of State under section 17 of the Oil and Gas (Enterprise) Act 1982 which is effective on the appointed day shall have effect as if given by the Director under section 19 of this Act; and the provisions of this Act shall apply accordingly.
- (2) Any reference in a deed or other instrument to the functions of the Corporation shall be taken to include a reference to any obligations arising under an agreement entered into by the Corporation in pursuance of directions given or having effect as if given under section 19 of this Act.
- 8 (1) A notice given to the Secretary of State under subsection (1) of section 15 of the Oil and Gas (Enterprise) Act 1982 which is effective on the appointed day shall have effect as if given to the Director under subsection (1) of section 20 of this Act and as if any map accompanying that notice and complying with the requirements of subsection (2) of the said section 15 complied with the requirements of subsection (2) of the said section 20; and the provisions of this Act shall apply accordingly.
- (2) A notice published by the Secretary of State under section 15(3) of the said Act of 1982 which is effective on the appointed day shall have effect as if published by the Director under section 20(3) of this Act; and the provisions of this Act shall apply accordingly.
- (3) A direction given by the Secretary of State under section 15(4) of the said Act of 1982 which is effective on the appointed day shall have effect as if given by the Director under section 20(4) of this Act; and the provisions of this Act shall apply accordingly.
- 9 A direction given by the Secretary of State under section 16(1) of the Oil and Gas (Enterprise) Act 1982 which is effective on the appointed day shall have effect as

Status: This is the original version (as it was originally enacted).

- if given by the Director under section 21(1) of this Act; and the provisions of this Act shall apply accordingly.
- 10 Any maximum prices fixed by the Corporation under paragraph 12 of Schedule 4 to the 1972 Act which are effective on the appointed day shall have effect as if fixed by the Director under section 37 of this Act.
- 11 Any office fixed or address published before the appointed day for the purposes of section 44 of the 1972 Act shall be deemed on and after that day to have been fixed or published for the purposes of section 46(3) of this Act.
- 12 (1) Where immediately before the appointed day there is in force an agreement which—
(a) confers or imposes on the Corporation any rights or liabilities ; and
(b) refers (in whatever terms and whether expressly or by implication) to any provision of the 1972 Act, to the Corporation's statutory gas undertaking or to statutory purposes,
the agreement shall have effect, in relation to anything falling to be done on or after that day, as if for that reference there were substituted a reference to the corresponding provision of this Act, to the Corporation's undertaking as a public gas supplier or, as the case may require, to purposes connected with the supply of gas through pipes to premises in the Corporation's authorised area.
- (2) In this paragraph "authorised area" and "public gas supplier " have the same meanings as in Part I of this Act.
- (3) References in this paragraph to an agreement include references to a deed, bond or other instrument.
- 13 Where—
(a) any sum was deposited with the Corporation by way of security under any provision of the 1972 Act; and
(b) on and after the appointed day that sum is treated by the Corporation as deposited under any provision of this Act,
any period beginning three months or less before that day, being a period during which the sum was deposited with the Corporation, shall be treated for the purposes of the payment of interest on that sum as a period during which the sum was deposited under that provision of this Act.
- 14 The repeal by this Act of section 43 of the 1972 Act shall not affect the operation of that section in relation to offences committed before the appointed day.
- 15 The repeal by this Act of section 46 of the 1972 Act shall not affect the operation of that section as applied by section 22 of the Gas Act 1965.
- 16 The repeal by this Act of Schedule 4 to the 1972 Act shall not affect the operation on or after the appointed day of so much of that Schedule as relates to the determination by arbitration of any matter which immediately before that day falls to be determined by arbitration under that Schedule.
- 17 The repeal by this Act of any provision by virtue of which any enactment applies in relation to a person carrying on a gas undertaking shall not affect the continuing validity of anything done under that enactment before the appointed day; and that enactment shall continue for the purposes of anything so done to have effect on and after that day as if the enactment continued to apply in relation to the Corporation and, after the transfer date, to the successor company as it applied in relation to the Corporation before the appointed day.

Status: This is the original version (as it was originally enacted).

PART II

PROVISIONS AND SAVINGS COMING INTO FORCE ON TRANSFER DATE

- 18 An authorisation granted under section 7 of this Act to the Corporation which is effective on the transfer date shall have effect as if granted to the successor company.
- 19 A declaration made by the Corporation in accordance with regulations made, or having effect as if made, under section 12(3) of this Act which is effective on the transfer date shall have effect as if made by the successor company.
- 20 A tariff fixed, or having effect as fixed, under section 14(1) of this Act by the Corporation which is effective on the transfer date shall have effect as if fixed by the successor company.
- 21 A direction given, or having effect as if given, under section 19 of this Act to the Corporation which is effective on the transfer date shall have effect as if given to the successor company.
- 22 (1) A notice given, or having effect as if given, under section 20(1) of this Act by the Corporation which is effective on the transfer date shall have effect as if given by the successor company.
- (2) A direction given, or having effect as if given, under section 20(4) of this Act to the Corporation which is effective on the transfer date shall have effect as if given to the successor company.
- 23 A direction given, or having effect as if given, under section 21(1) of this Act to the Corporation which is effective on the transfer date shall have effect as if given to the successor company.
- 24 Any office fixed or address published by the Corporation for the purposes of section 46(3) of this Act, and any office or address having effect as if so fixed or published, shall be deemed on and after the transfer date to have been so fixed or published by the successor company.
- 25 A direction given under section 63 of this Act to the Corporation which is effective on the transfer date shall have effect as if given to the successor company.
- 26 A compulsory purchase order made by the Corporation which was made, or has effect as if made, by virtue of Schedule 3 to this Act and is effective on the transfer date shall have effect as if made by the successor company.
- 27 (1) Where immediately before the transfer date there is in force an agreement which—
- (a) confers or imposes on the Corporation any rights or liabilities which vest in the successor company by virtue of section 49 of this Act; and
 - (b) refers (in whatever terms and whether expressly or by implication) to a member or officer of the Corporation,
- the agreement shall have effect, in relation to anything falling to be done on or after that date, as if for that reference there were substituted a reference to such person as that company may appoint or, in default of appointment, to the officer of that company who corresponds as nearly as may be to the member or officer of the Corporation in question.
- (2) References in this paragraph to an agreement include references to a deed, bond or other instrument.

- 28 (1) Any agreement made, transaction effected or other thing done by, to or in relation to the Corporation which is in force or effective immediately before the transfer date shall have effect as if made, effected or done by, to or in relation to the successor company, in all respects, as if the successor company were the same person, in law, as the Corporation, and accordingly references to the Corporation—
- (a) in any agreement (whether or not in writing) and in any deed, bond or instrument;
 - (b) in any process or other document issued, prepared or employed for the purposes of any proceeding before any court or other tribunal or authority; and
 - (c) in any other document whatsoever (other than an enactment) relating to or affecting any property, right or liability of the Corporation which vests by virtue of section 49 of this Act in the successor company,
- shall be taken as referring to the successor company.
- (2) Nothing in sub-paragraph (1) above shall be taken as applying in relation to any agreement made, transaction effected or other thing done with respect to any right or liability of the Corporation which vests by virtue of section 50 of this Act in the Treasury.
- 29 It is hereby declared for the avoidance of doubt that—
- (a) the effect of section 49 of this Act in relation to any contract of employment with the (Corporation in force immediately before the transfer date is merely to modify the contract by substituting the successor company as the employer (and not to terminate the contract or vary it in any other way) ; and
 - (b) that section is effective to vest the rights and liabilities of the Corporation under any agreement or arrangement for the payment of pensions, allowances or gratuities in the successor company along with all other rights and liabilities of the Corporation ;
- and accordingly any period of employment with the Corporation or a wholly owned subsidiary of the Corporation shall count for all purposes as a period of employment with the successor company or (as the case may be) a wholly owned subsidiary of the successor company.
- 30 (1) Any certificate issued or other thing done in pursuance of any regulation made or having effect as if made under section 21 of the 1972 Act which is in force or effective immediately before the transfer date shall have effect as if issued or done in pursuance of the corresponding enactment, regulation or rule relating to securities issued under the National Loans Act 1968.
- (2) Any agreement made, transaction effected or other thing done in relation to any British Gas 3% Guaranteed Stock, 1990-95 which is in force or effective immediately before the transfer date shall have effect as if made, effected or done in relation to that Stock as renamed under subsection (3) of that section and, accordingly, references to that Stock in any agreement (whether or not in writing) or in any deed, bond, instrument or other document whatsoever shall be taken as referring to that Stock as so renamed.
- (3) In this paragraph " British Gas Stock " has the same meaning as in section 50 of this Act.
- 31 (1) It shall be the duty of the Corporation and of the successor company to take, as and when during the transitional period the successor company considers appropriate, all such steps as may be requisite to secure that the vesting in the successor company

Status: This is the original version (as it was originally enacted).

- by virtue of section 49 of this Act or this paragraph of any foreign property, right or liability is effective under the relevant foreign law.
- (2) During the transitional period, until the vesting in the successor company by virtue of section 49 of this Act or this paragraph of any foreign property, right or liability is effective under the relevant foreign law, it shall be the duty of the Corporation to hold that property or right for the benefit of, or to discharge that liability on behalf of, the successor company.
- (3) Nothing in sub-paragraphs (1) and (2) above shall be taken as prejudicing the effect under the law of the United Kingdom or of any part of the United Kingdom of the vesting in the successor company by virtue of section 49 of this Act or this paragraph of any foreign property, right or liability.
- (4) The Corporation shall have all such powers as may be requisite for the performance of its duty under this paragraph, but—
- (a) it shall be the duty of the successor company during the transitional period to act on behalf of the Corporation (so far as possible) in performing the duty imposed on the Corporation by this paragraph ; and
 - (b) any foreign property, rights and liabilities acquired or incurred by the Corporation during that period shall immediately become property, rights and liabilities of the successor company.
- (5) References in this paragraph to any foreign property, right or liability are references to any property, right or liability as respects which any issue arising in any proceedings would have been determined (in accordance with the rules of private international law) by reference to the law of a country or territory outside the United Kingdom.
- (6) Any expenses incurred by the Corporation under this paragraph shall be met by the successor company.
- 32 (1) Notwithstanding the repeal by this Act of section 8 of the 1972 Act, it shall be the duty of the Corporation to make a report to the Secretary of State in accordance with that section in respect of each financial year of the Corporation ending before the transfer date.
- (2) Notwithstanding the repeal by this Act of section 23 of that Act, it shall be the duty of the Corporation to prepare statements of accounts in accordance with subsection (1) (b) and (2) of that section in respect of each financial year of the Corporation ending before the transfer date, and that section shall continue to apply during the transitional period in relation to those statements and in relation also to the auditing of those statements and of accounts kept in accordance with subsection (1)(a) of that section in respect of that financial year.
- (3) Any expenses incurred by the Corporation under this paragraph shall be met by the successor company.
- 33 Where by virtue of anything done before the transfer date, any enactment amended by Schedule 7 to this Act has effect in relation to the Corporation, that enactment shall have effect in relation to the successor company as if that company were the same person, in law, as the Corporation.
- 34 Every provision contained in a local Act, or in subordinate legislation, which is in force immediately before the transfer date and then applicable to the Corporation shall have effect as if—

Status: This is the original version (as it was originally enacted).

- (a) for references therein to the Corporation there were substituted references to the successor company; and
 - (b) for any reference (however worded and whether expressly or by implication) to the undertaking or business, or any part of the undertaking or business, of the Corporation there were substituted a reference to the undertaking or business, or the corresponding part of the undertaking or business, of the successor company.
- 35 (1) Nothing in this Act shall affect the validity of anything done by, or in relation to, the Corporation before the transfer date under or by virtue of the Public Utilities Street Works Act 1950 ; and anything which, immediately before that date, is in process of being done under, or by virtue of, that Act by or in relation to it (including, in particular, any legal proceedings to which it is a party) may be continued by, or in relation to, the successor company.
- (2) Any notice or direction given or other thing whatsoever done under the said Act of 1950 by the Corporation shall, if effective at the transfer date, continue in force and have effect as if similarly given or done by the successor company.
- 36 (1) For the purposes of section 33 of the General Rate Act 1967 (public gas suppliers) the successor company shall be treated as if it were the same person as the Corporation.
- (3) An order under subsection (5) of that section which applies in relation to hereditaments occupied by the Corporation and is effective on the transfer date shall have effect as if it applied to the corresponding hereditaments occupied by the successor company.
- 37 (1) Where an asset, or the right to receive an asset, vests in the successor company by virtue of section 49 of this Act, then for the purposes of Part I of the Industry Act 1972 and Part II of the Industrial Development Act 1982—
 - (a) so much of any expenditure incurred by the Corporation in providing that asset as is approved capital expenditure (of any description relevant for the purposes of regional development grant) in respect of which no payment of regional development grant has been made to the Corporation shall be treated as having been incurred by the successor company and not by the Corporation ; and
 - (b) where the asset itself vests in the successor company by virtue of section 49 of this Act, it shall be treated as a new asset if it would have fallen to be so treated if it had remained vested in the Corporation.
- (2) In this paragraph " regional development grant" means a grant under Part I of the Industry Act 1972 or Part II of the Industrial Development Act 1982 and "approved capital expenditure" has the same meaning as it has for the purposes of the provisions relating to regional development grant
- 38 An order under section 19 of the Local Government Act 1974 (rating of certain public utilities and other bodies) which applies in relation to hereditaments occupied by the Corporation and is effective on the transfer date shall have effect as if it applied to the corresponding hereditaments occupied by the successor company.
- 39 An order under section 6 of the Local Government (Scotland) Act 1975 (valuation by formula of certain lands and heritages) which applies in relation to lands and heritages occupied by the Corporation and is effective on the transfer date shall have effect as if it applied in relation to the corresponding lands and heritages occupied by the successor company.

Status: This is the original version (as it was originally enacted).

40 The repeal by this Act of section 10 of and Schedule 1 to the Oil and Gas (Enterprise) Act 1982 shall not affect the operation of any scheme made under that section before the transfer date.

41 (1) Where a distribution is proposed to be declared during the accounting reference period of the successor company which includes the transfer date or before any accounts are laid or filed in respect of that period, sections 270 to 276 of the Companies Act 1985 (accounts relevant for determining whether a distribution may be made by a company) shall have effect as if—

(a) references in section 270 to the company's accounts or to accounts relevant under that section ; and

(b) references in section 273 to initial accounts,

included references to such accounts as, on the assumptions stated in subparagraph (2) below, would have been prepared under section 227 of that Act in respect of the relevant year.

(2) The said assumptions are—

(a) that the relevant year had been a financial year of the successor company;

(b) that the vesting effected by section 49 of this Act had been a vesting of all the property, rights and liabilities (other than any rights or liabilities which vest in the Treasury by virtue of section 50 of this Act) to which the Corporation was entitled or subject immediately before the beginning of the relevant year and had been effected immediately after the beginning of that year ;

(c) that the value of any asset and the amount of any liability of the Corporation vested in the successor company by virtue of that section had been the value or (as the case may be) the amount assigned to that asset or liability for the purposes of the statement of accounts prepared by the Corporation in respect of the financial year immediately preceding the relevant year ;

(d) that any securities of the successor company issued or allotted before the declaration of the distribution had been issued or allotted before the end of the relevant year ; and

(e) such other assumptions (if any) as may appear to the directors of the successor company to be necessary or expedient for the purposes of this paragraph.

(3) For the purposes of the said accounts the amount to be included in respect of any item shall be determined as if anything done by the Corporation (whether by way of acquiring, revaluing or disposing of any asset or incurring, revaluing or discharging any liability, or by carrying any amount to any provision or reserve, or otherwise) had been done by the successor company.

Accordingly (but without prejudice to the generality of the preceding provision) the amount to be included in any reserves of the successor company as representing its accumulated realised profits shall be determined as if any profits realised and retained by the Corporation had been realised and retained by the successor company.

(4) The said accounts shall not be regarded as statutory accounts for the purposes of section 55 of this Act.

(5) In this paragraph—

"complete financial year" means a financial year ending with 31st March ;

"the relevant year" means the last complete financial year of the Corporation ending before the transfer date ;

Status: This is the original version (as it was originally enacted).

" securities " has the same meaning as in Part II of this Act.

SCHEDULE 9

Section 67(4).

REPEALS

PART I

REPEALS COMING INTO FORCE ON APPOINTED DAY

<i>Chapter</i>	<i>Short Title</i>	<i>Extent of Repeal</i>
15 & 16 Geo. 5. c. 71.	The Public Health Act 1925.	In section 7(3), the word " gas".
17 & 18 Geo. 5. c. 36.	The Landlord and Tenant Act 1927.	In section 25(1) in the definition of " statutory company ", the word " gas,".
23 & 24 Geo. 5. c. 14.	The London Passenger Transport Act 1933.	In section 93(6), the words " gas or ".
26 Geo. 5 & 1 Edw. 8. c. 49.	The Public Health Act 1936.	In section 343 in the definition of " statutory undertakers ", the word " gas,".
2 & 3 Geo. 6. c. 31.	The Civil Defence Act 1939.	In section 90(1) in the definition of " Public utility undertakers ", the word " gas," where it first occurs and the words " gas or " immediately after " supplying ".
2 & 3 Geo. 6. c. xcix.	The London Gas Undertakings (Regulations) Act 1939.	The whole Act.
8 & 9 Geo. 6. c. 42.	The Water Act 1945.	In section 1(1) of Schedule 3 in the definition of " statutory undertakers", the word gas,.
10 & 11 Geo. 6. c. 42.	The Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947.	In section 7(1) in the definition of "statutory undertakers ", the word " gas,".
11 & 12 Geo. 6. c. 22.	The Water Act 1948.	In section 15(1) in the definition of " appropriate Minister" in paragraph (b), the word " , gas " and, in the definition of " statutory

Status: This is the original version (as it was originally enacted).

<i>Chapter</i>	<i>Short Title</i>	<i>Extent of Repeal</i>
2 & 3 Eliz. 2. c. 21.	The Rights of Entry (Gas and Electricity Boards) Act 1954.	undertakers ", the word " gas,". In section 3(1), the definition of "the Corporation ".
6 & 7 Eliz. 2. c. 69.	The Opencast Coal Act 1958.	In section 51(1) in the definition of " appropriate Minister ", the word " , gas".
10 & 11 Eliz. 2. c. 58.	The Pipe-lines Act 1962.	In section 66(1) in the definition of " statutory undertakers ", the word " gas,".
1964 c. 40.	The Harbours Act 1964.	In paragraph 6(2)(c) of Schedule 3, the word " gas,".
1965 c. 36.	The Gas Act 1965.	In section 4(2), the words from " shall relate " to " statutory corporation and " In section 28(1), the definition of" the Corporation " and, in the definition of " statutory undertakers", the word "gas,".
1967 c. 9.	The General Rate Act 1967.	In section 19(6) in the definition of " non-industrial building ", the word " gas,".
1967 c. 10.	The Forestry Act 1967.	In section 40(2)(«0, the word " gas,".
1968 c. 16.	The New Towns (Scotland) Act 1968.	In section 47(1) in the definition of " statutory undertakers ", the word " gas,".
1971 c. 78.	The Town and Country Planning Act 1971.	In section 224(1)(6), the word " , gas". In section 290(1) in the definition of " statutory undertakers ", the word " , gas".
1972 c. 52.	The Town and Country Planning (Scotland) Act 1972.	In section 213(1)(6), the words " gas or " In section 275(1) in the definition of " statutory undertakers ", the word " gas "
1972 c. 60.	The Gas Act 1972.	Section 1(6). Section 2(1).

Status: This is the original version (as it was originally enacted).

<i>Chapter</i>	<i>Short Title</i>	<i>Extent of Repeal</i>
		<p>Section 6(5).</p> <p>Sections 9 to 13.</p> <p>Part III.</p> <p>Section 34.</p> <p>Sections 37 to 47.</p> <p>In section 48(1), the definitions of "Area Board ", " calorific value", " declared calorific value ", " distribution main ", " gas ", " gas fittings ", " the National Council", " Regional Council" and " therm ".</p> <p>Section 49.</p> <p>Schedules 1 to 8.</p>
1974 c. 40.	The Control of Pollution Act 1974.	In section 73(1) in the definition of " statutory undertakers ", the word " gas,".
1975 c. 24.	The House of Commons Disqualification Act 1975.	In Schedule 1, in Part III, the entry relating to the Chairman in receipt of remuneration of the National Gas Consumers' Council or any Regional Gas Consumers' Council.
1975 c. 30.	The Local Government (Scotland) Act 1975.	In Schedule 1, paragraph 3A(2).
1975 c. 55.	The Statutory Corporations (Financial Provisions) Act 1975.	Section 6(2). In Schedule 3, Part II.
1975 c. 70.	The Welsh Development Agency Act 1975.	In section 27(1) in the definition of "statutory undertakers", the word " gas,".
1976 c. 75.	The Development of Rural Wales Act 1976.	In section 34(1) in the definition of " statutory undertakers ", the word " gas,". In column (1) of the table to paragraph 56(3) of Schedule 3, the word " , gas ".

Status: This is the original version (as it was originally enacted).

<i>Chapter</i>	<i>Short Title</i>	<i>Extent of Repeal</i>
1976 c. 76.	The Energy Act 1976.	In section 18(3), the words " or the British Gas Corporation".
1979 c. 46.	The Ancient Monuments and Archaeological Areas Act 1979.	In section 61(2)(a), the word " gas, ".
1980 c. 37.	The Gas Act 1980.	The whole Act.
1980 c. 65.	The Local Government, Planning and Land Act 1980.	In section 108(1)(a), the word " gas, ". In section 120(3) in the definition of " statutory undertakers ", the word " gas, ". In section 170(1)(a), the word "gas, ". In Schedule 16 in the definition of " statutory undertakers ", the word " gas, ". In paragraph 2 of Schedule 19, the word " gas, ".
1980 c. 66.	The Highways Act 1980.	In section 121(6)(a), the word "gas, ". In section 157(9), the word " gas, ". In section 329(1), the definition of " gas undertakers ". In section 329(1) in the definition of " statutory undertakers ", the word " gas, ".
1981 c. 64.	The New Towns Act 1981.	In section 78(1)(6), the word " , gas". In section 79(1)(a)(iii), the word "gas, ".
1981 c. 67.	The Acquisition of Land Act 1981.	In section 8(1)(a)(iii), the word " gas, ".
1982 c. 16.	The Civil Aviation Act 1982.	In section 105(1) in the definition of "statutory undertakers ", the word " , gas ".

Status: This is the original version (as it was originally enacted).

<i>Chapter</i>	<i>Short Title</i>	<i>Extent of Repeal</i>
1982 c. 23. In Schedule 3, paragraphs 5, 6 and 12 to 20.	The Oil and Gas (Enterprise) Act 1982.	Sections 12 to 17. In section 32(1), the words "regulations or ".
1982 c. 30.	The Local Government (Miscellaneous Provisions) Act 1982.	In section 30(1)(6), the words " gas or ".
1984 c. 12.	The Telecommunications Act 1984.	In paragraph 23(10)(a)(ii) of Schedule 2, the words " gas or ".
1984 c. 54.	The Roads (Scotland) Act 1984.	In Schedule 9, paragraph 71.
1984 c. 55.	The Building Act 1984.	In section 126 in the definition of " statutory undertakers ", the word " gas,".

PART II

REPEALS COMING INTO FORCE ON TRANSFER DATE

<i>Chapter</i>	<i>Short Title</i>	<i>Extent of Repeal</i>
1970 c. 10.	The Income and Corporation Taxes Act 1970.	In section 350, subsections (1) and (2).
1972 c. 60.	The Gas Act 1972.	Section 1(3). In section 2, subsections (2) and (3) . Sections 3 to 5. In section 6, subsections (1) to (4) and (6) to (8). Sections 7 and 8. Part II. Sections 32 and 33. Sections 35 and 36. Section 48 (so far as unrepealed). Section 50.

Status: This is the original version (as it was originally enacted).

<i>Chapter</i>	<i>Short Title</i>	<i>Extent of Repeal</i>
1979 c. 14.	The Capital Gains Tax Act 1979.	In Schedule 2, in Part I, in paragraph 1(6), the words " and the Gas Act 1972 ".
1980 c. 63.	The Overseas Development and Co-operation Act 1980.	In Schedule 1, in Part III, the entry relating to the British Gas Corporation.
1982 c. 23.	The Oil and Gas (Enterprise) Act 1982.	Sections 9 to 11. In section 32, in subsection (1), the words " and the power conferred by section 11(1) above to give directions ", in subsection (2), the words from " an order " to " section 11(1) above ", and subsection (3). Sections 33 and 34. In section 36, the definitions of "the 1972 Act" and "the Gas Corporation ".
1982 c. 39.	The Finance Act 1982.	Schedule 1. Section 147.
1982 c. 41.	The Stock Transfer Act 1982.	Section 1(3)(d).
1983 c. 29.	The Miscellaneous Financial Provisions Act 1983.	In Schedule 2, the entry relating to the Gas Act 1972.
1985 c. 62.	The Oil and Pipelines Act 1985.	Section 7(2).

PART III

REPEALS COMING INTO FORCE ON DISSOLUTION OF BRITISH GAS CORPORATION

<i>Chapter</i>	<i>Short Title</i>	<i>Extent of Repeal</i>
1972 c. 60.	The Gas Act 1972.	In section 1, subsections (1), (2), (4) and (5).
1975 c. 24.	The House of Commons Disqualification Act 1975.	In Schedule 1, in Part II, the entry relating to the British Gas Corporation.
1983 c. 44.	The National Audit Act 1983.	In Schedule 4, the entry relating to the British Gas Corporation.