



# Gas Act 1995

## 1995 CHAPTER 45

### *Miscellaneous*

#### **11 Amendments of Part III of 1986 Act. 1976 c. 34**

(1) In subsection (2) of section 62 of the 1986 Act (exclusion of certain agreements from Restrictive Trade Practices Act 1976), for paragraph (b) there shall be substituted the following paragraph—

“(b) is or was an agreement containing provisions relating to, or to activities connected with, the supply otherwise than under a licence granted under section 7A(1) above of gas won under the authority of a petroleum production licence;”.

(2) After subsection (2) of that section there shall be inserted the following subsections—

“(2A) The said Act of 1976 shall not apply, and shall be deemed never to have applied, to any agreement which—

- (a) is or was made on or after 2nd March 1995;
- (b) is or was an agreement containing provisions relating to, or to activities connected with—
  - (i) the introduction of gas into;
  - (ii) the taking out of gas from; or
  - (iii) the use by gas shippers of,  
a pipe-line system or storage facility operated by a public gas transporter; and
- (c) is specified, or is of a description specified, in an order made by the Secretary of State and satisfies such conditions as may be so specified.

(2B) Before making an order under subsection (2) or (2A) above, the Secretary of State shall consult the Director and the Director General of Fair Trading.”

(3) In subsection (3) of that section—

- (a) after the words “subsection (2)” there shall be inserted the words “or (2A)”;  
and

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*Status: This is the original version (as it was originally enacted).*

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- (b) after the words “the Secretary of State” there shall be inserted the words “, the Director or the Director General of Fair Trading”.
- (4) In subsection (6) of that section, after the definition of “gas” there shall be inserted the following definitions—
- ““gas shipper” and “public gas transporter” have the same meanings as in Part I of this Act;”.
- (5) Subsection (7) of that section shall cease to have effect.
- (6) Section 63 of the 1986 Act (restrictions on use of certain information) shall cease to have effect.
- (7) In section 64 of that Act (provisions as to orders), in subsection (2), the words “20(9)” shall cease to have effect.