

1972 No. 1765

GAS

The Gas (Consumers' Councils) Regulations 1972

Made - - - 17th November 1972
Laid before Parliament 27th November 1972
Coming into Operation 1st January 1973

The Secretary of State, in exercise of his powers under paragraph 5(1) of Schedule 3 to the Gas Act 1972^(a) and all other powers in that behalf enabling him, hereby makes the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Gas (Consumers' Councils) Regulations 1972 and shall come into operation on 1st January 1973.

(2) The Interpretation Act 1889^(b) shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

Appointment and tenure of office

2.—(1) The appointment of a member of the National Gas Consumers' Council or of a Regional Gas Consumers' Council (referred to hereafter, respectively, as "the National Council" and "a Regional Council" and each referred to hereafter as "a Council") shall be for such term not exceeding three years as may before that member's appointment be determined by the Secretary of State and shall be subject to regulation 3 and to any conditions notified to him in writing by the Secretary of State.

(2) A member of a Regional Council holding office by virtue of section 9(5) of the Gas Act 1972 shall do so subject to regulation 3 and to any conditions notified to him in writing by the Secretary of State.

(3) Any member of a Council may, on the expiry of his term of office, if eligible, be reappointed.

(4) Subject to paragraph (5) such member of each Council as the Secretary of State may appoint shall act as deputy chairman of that Council.

(5) Where a deputy chairman of a Gas Consultative Council established under section 9 of the Gas Act 1948^(c) becomes a member of a Regional Council by virtue of section 9(5) of the Gas Act 1972 he shall on 1st January 1973 become the deputy chairman of that Regional Council.

(6) Any member of a Council may resign his office by giving to the Secretary of State either one month's notice in writing or such shorter notice as he may approve.

(a) 1972 c. 60.
(c) 1948 c. 67.

(b) 1889 c. 63.

Vacation of office

3. Where a member of a Council becomes in the opinion of the Secretary of State unfit to continue as such member or incapable of performing his duties the Secretary of State may declare the office of that member to be vacant; and thereupon he shall cease to be a member of that Council.

Frequency and constitution of meetings

4.—(1) Each Council shall meet as often as may be necessary for the proper discharge of their duties, but in the case of the National Council the period between any two consecutive meetings shall not be longer than six months and in the case of a Regional Council that period shall not be longer than three months.

(2) Where one third or more of all existing members of a Council deliver to the secretary of that Council a written requisition for a meeting, the chairman, or if the chairman is not available, the deputy chairman shall ensure that a meeting is held before the expiry of fourteen days from the delivery of that requisition.

(3) No meetings of a Council shall be held unless either the chairman or deputy chairman is present, but if by reason of vacancy in their offices or their serious illness or absence from Great Britain neither of them is available, or a meeting is not held before the expiry of fourteen days from the delivery of the said requisition, the Council may meet and pass provisional resolutions which shall have effect until the next duly constituted meeting after they were passed and which may be ratified at that meeting.

(4) Each Council may determine its own quorum.

Voting

5. Every resolution of a Council shall be passed by a majority of the votes of the members of the Council present and voting, and in the event of an equality of votes the proposal in question shall be deemed to have been rejected.

Minutes and evidence of proceedings

6. Every Council shall keep, or cause to be kept, minutes of their proceedings, and a record in any such minutes specifying the terms of a resolution passed at any meeting, and, in the case of a resolution by the National Council that a representation be made to the Secretary of State, the number of votes cast for and against it, shall, if signed by the person purporting to be acting as chairman of the meeting to which the minutes relate, or of a meeting at which they were read, be evidence of those proceedings.

Execution of documents

7. Any document requiring to be executed by or on behalf of a Council shall be signed by the chairman and secretary of that Council or by such one or more of the members and officers of that Council as the Council may in any particular case determine.

Dated 17th November 1972.

Peter Emery,
Parliamentary Under Secretary of State,
Department of Trade and Industry.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations relate to the appointment and tenure of office of members of the National and Regional Gas Consumers' Councils established by the Gas Act 1972, to the proceedings and meetings of those Councils, and to the execution of documents by, or on behalf of, them.

SI 1972/1765
ISBN 0-11-021765-9



780110 217659