

1972 No. 1878

## GAS

**The Gas (Declaration of Calorific Value) Regulations 1972**

<i>Made</i> - - - -	1st December 1972
<i>Laid before Parliament</i>	11th December 1972
<i>Coming into Operation</i>	1st January 1973

The Secretary of State, in exercise of his powers under section 25(1) and (2) of 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 (Declaration of Calorific Value) 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.

*Calculation of charges for therms supplied*

2. Where the British Gas Corporation (hereinafter referred to as “the Corporation”) charge for gas supplied by them according to the number of therms supplied, the number supplied to any consumer shall be ascertained by multiplying the number of cubic feet of gas registered by the consumer’s meter by the number of British thermal units in the declared calorific value of the gas and dividing the product by 100,000.

*Original declarations of calorific value*

3.—(1) Whenever the Corporation propose to commence to charge for gas supplied to any area according to the number of therms supplied, they shall declare the calorific value of the gas to be supplied thereto on and after the date on which the declaration is to take effect generally, by notice given at least three months before that date.

(2) A declaration of calorific value as aforesaid shall take effect, for the purpose of calculating the charge to be made for gas supplied to any consumer, immediately after the first reading of that consumer’s meter on or after the date on which that declaration takes effect generally.

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 (a) 1972 c. 60.

(b) 1889 c. 63.

*General alterations in declared calorific value*

4. Whenever the Corporation propose to alter the declared calorific value of gas supplied to any area and to supply gas of a new calorific value to all consumers in that area on the same date, they shall declare the calorific value of the gas to be supplied to that area on and after the date on which the declaration is to take effect which shall be, unless the Secretary of State consents in writing to any other date, 1st January, 1st April, 1st July or 1st October in any year, by notice given at least one month previously.

*Alterations in declared calorific value affecting consumers on different dates*

5.—(1) Whenever the Corporation propose to alter the declared calorific value of gas supplied to any area and to supply gas of a new calorific value to different consumers in that area on different dates, they shall declare the new calorific value of the gas to be supplied to that area on and after the date on which the declaration is to take effect generally, by notice given at least one month before the Corporation propose to supply any consumer with gas of that new calorific value.

(2) Subject to regulation 6, the new declaration of calorific value as aforesaid shall take effect, for the purpose of calculating the charge to be made for gas supplied to any consumer, immediately after the first reading of that consumer's meter on or after the date on which gas of that new calorific value is first supplied to that meter.

*Calculation of charges*

6. Where any alteration in the declared calorific value of gas as aforesaid occurs in the course of any period for which charges for any such gas are made to any consumer, charges to him shall be calculated in respect of that period in the manner prescribed in regulation 2 on the basis—

- (a) if the alteration increases the calorific value, of the declared calorific value in force immediately before such alteration;
- (b) if the alteration decreases the calorific value, of the declared calorific value as so altered.

*Publication and service of notice*

7.—(1) The notice required by regulations 3(1), 4 and 5(1) (hereafter called "the notice") shall be given—

- (i) where the area to be supplied with gas is wholly or partly in England or Wales, in the London Gazette;
- (ii) where the said area is wholly or partly in Scotland, in the Edinburgh Gazette; and
- (iii) in one or more local newspapers having circulation areas covering the said area.

(2) The Corporation shall send a copy of the notice to the Secretary of State for Trade and Industry, the Regional Gas Consumers' Council or Councils for the area to be supplied with gas and, in the case of the notice required by regulation 3(1), to every consumer in the area to be so supplied.

*Form of notice and map*

8.—(1) The notice shall refer to all the local authority districts (or parts thereof) to be supplied with gas and the area to be so supplied shall be defined by reference to a map signed on behalf of the Corporation on which that area shall be clearly delineated by a green line.

(2) The Corporation shall send a copy of the said map to the Secretary of State for Trade and Industry.

(3) The Corporation shall keep the said map at appropriate premises of the Corporation, the address of which shall be specified in the notice, and shall ensure that it is open to inspection by any consumer at all reasonable times free of charge.

*Declarations of calorific value before 1st January 1973*

9.—(1) Any declaration of calorific value made by an Area Board before 1st January 1973 in compliance with the Gas (Declaration of Calorific Value) Regulations 1949(a) as amended (b) and expressed to take effect on or after 1st January 1973 shall be treated as from that date as a declaration validly made by the Corporation under these regulations.

(2) Where any declaration of calorific value is made before 1st January 1973 by a notice which refers to a map and the declaration has effect on or after 1st January 1973, the Corporation shall send a copy of the map to the Secretary of State for Trade and Industry as soon as possible after 1st January 1973, and the Corporation shall keep the map at appropriate premises of the Corporation and shall ensure that it is open to inspection by any consumer at all reasonable times free of charge.

Dated 1st December 1972.

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

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**EXPLANATORY NOTE**

*(This Note is not part of the Regulations.)*

These Regulations—

(a) prescribe the manner in which the number of therms supplied by the British Gas Corporation to any consumer is to be calculated (regulation 2);

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(a) S.I. 1949/788 (1949 I, p. 1982).

(b) S.I. 1951/2286 (1951 I, p. 803).

- (b) make provision as to the time when, and the manner in which, an original declaration of calorific value, and any alteration in the declared calorific value, of gas supplied by the Corporation is to be declared and is to be brought to the notice of consumers and Regional Gas Consumers' Councils affected, and as to the time when any such declaration is to take effect, and also provide that declarations of calorific value made by Area Boards (under former regulations) before 1st January 1973 expressed to take effect on or after that date are thereafter to be treated as validly made by the Corporation under these regulations (regulations 3-5 and 7-9);
- (c) provide for the adjustment of charges for gas in cases where an alteration in the declared calorific value occurs in the course of a period for which charges are made (regulation 6).