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STATUTORY INSTRUMENTS

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**1996 No. 362**

**GAS**

**The Gas Act 1995 (Consequential Modifications  
of Local Acts and Orders) Order 1996**

<i>Made</i>	- - - -	<i>18th February 1996</i>
<i>Laid before Parliament</i>		<i>21st February 1996</i>
<i>Coming into force</i>	- -	<i>1st March 1996</i>

The Secretary of State, in exercise of the powers conferred upon him by section 16(3) of the Gas Act 1995(1), and of all other powers enabling him in that behalf, hereby makes the following Order:—

1. This Order may be cited as the Gas Act 1995 (Consequential Modifications of Local Acts and Orders) Order 1996 and shall come into force on 1st March 1996.
2. The local Acts specified in columns 1 and 2 of Schedule 1 hereto are hereby modified to the extent specified in column 3 of the Schedule.
3. References, however expressed, to public gas suppliers or any particular public gas supplier in the local Acts specified in columns 1 and 2 of Schedule 2 hereto shall have effect as references to a public gas transporter within the meaning of Part I of the Gas Act 1986(2).
4. References in the local Acts specified in columns 1 and 2 of Schedule 3 hereto to any person authorised to carry on, in a particular area, an undertaking for the supply of gas shall have effect as references to any person carrying on the undertaking of a public gas transporter within the meaning of Part I of the Gas Act 1986 whose authorised area, within the meaning of that Part of that Act, includes that area.
5. References, however expressed, to public gas suppliers or any particular public gas supplier in the local Orders specified in columns 1 and 2 of Schedule 4 hereto shall have effect as references to a public gas transporter within the meaning of Part I of the Gas Act 1986.

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(1) 1995 c. 45.

(2) 1986 c. 44; the terms “public gas transporter” and “authorised area” are defined in section 7(1) and (2) as substituted by section 5 of the Gas Act 1995.

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18th February 1996

*Tim Eggar*  
Minister for Industry and Energy,  
Department of Trade and Industry

## SCHEDULE 1

Article 2

(1) Chapter No.	(2) Title	(3) Extent of modification
<a href="#">1963 c.xxiv.</a>	London Transport Act 1963.	References to gas undertakers in section 42(1) shall have effect as references to a person carrying on the undertaking of a public gas transporter within the meaning of Part I of the Gas Act 1986.
<a href="#">1972 c.xl.</a>	Greater London Council (General Powers) Act 1972.	References to statutory undertakers in section 19 shall be deemed to include any person carrying on the undertaking of a gas supplier within the meaning of Part I of the Gas Act 1986.
<a href="#">1973 c.xxxii.</a>	Tyneside Metropolitan Railway Act 1973.	In section 53(1), the reference to the successor company <sup>(3)</sup> shall have effect as if there were substituted a reference to a public gas transporter within the meaning of Part I of the Gas Act 1986.
<a href="#">1983 c.vi.</a>	Parkeston Quay Act 1983.	In section 32(1), references to the successor company shall have effect as if there were substituted references to a public gas transporter within the meaning of Part I of the Gas Act 1986.  In section 32(2), for the words “gas or water,” there shall be substituted the words “or water or the conveyance of gas through pipes”.
<a href="#">1984 c.xx.</a>	British Railways (No. 2) Act 1984.	References to gas undertakers in section 27(1) shall have effect as references to a person carrying on the undertaking of a public gas transporter within the meaning of Part I of the Gas Act 1986.  In section 27(3), for the words “gas or water” there shall be substituted the words “or

(3) The reference to the successor company was substituted by paragraph 34 of Schedule 8 to the Gas Act 1986 (c. 44); by virtue of section 49 of the Gas Act 1986 and S.I. [1986/1317](#) the successor company is British Gas plc.

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(1) Chapter No.	(2) Title	(3) Extent of modification
1986 c.i.	Poole Borough Council Act 1986.	<p>water or the conveyance of gas through pipes”.</p> <p>The definition of statutory undertakers in section 5(9) (a) shall be deemed to include a person carrying on the undertaking of a public gas transporter within the meaning of Part I of the Gas Act 1986.</p> <p>In section 13(1)(d), for the words “the supply of gas by the British Gas Corporation” there shall be substituted the words “the conveyance of gas through pipes by a public gas transporter within the meaning of Part I of the Gas Act 1986”.</p>
1986 c.ii.	Berkshire Act 1986.	<p>In section 2(1) and section 14(11), the references to the successor company shall have effect as if there were substituted references to a public gas transporter within the meaning of Part I of the Gas Act 1986.</p> <p>In section 30(1)(d), for the words “the supply of gas by the British Gas Corporation” there shall be substituted the words “the conveyance of gas through pipes by a public gas transporter”.</p> <p>In section 63(1) the word “gas” where it first appears shall be omitted and the words “or conveying gas through pipes” shall be inserted before the words “to any premises”.</p> <p>In section 63(5), the reference to the successor company shall have effect as if there were substituted a reference to a public gas transporter.</p> <p>In section 63(6)(a)—</p> <p>(i) the word “gas” shall be omitted and the words “or public gas</p>

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(1) Chapter No.	(2) Title	(3) Extent of modification
		<p>transporter” shall be inserted after the word “undertakers” in both places where it appears;</p> <p>(ii) for the words “the premises are situated”, there shall be substituted the words “in the case of the water or electricity undertakers, the premises are situated, or whose authorised area includes the premises in the case of a public gas transporter conveying gas through pipes,”.</p> <p>In section 63(6)(b) the word “gas” shall be omitted and the words “or public gas transporter” shall be inserted after the word “undertakers,”.</p> <p>In section 63(7)—</p> <p>(i) the word “gas” shall be omitted and the words “or public gas transporter” shall be inserted after the word “undertakers”;</p> <p>(ii) for the words “the premises are situated” there shall be substituted the words “in the case of the water and electricity undertakers, the premises are situated, or whose authorised area includes the premises in the case of a public gas transporter conveying gas through pipes”.</p>
1986 c.iv.	Greater London Council (General Powers) Act 1986.	References in Part III to any statutory undertakers shall be construed as including a public gas transporter within the meaning of Part I of the Gas Act 1986.
1986 c.vi.	Lothian Region (Edinburgh Western Relief Road) Order Confirmation Act 1986.	In section 38(1)(a)(ii), the reference to the successor company shall have effect

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(1) Chapter No.	(2) Title	(3) Extent of modification
1986 c.vii.	Swansea City Council (Tawe Barrage) Act 1986.	<p>as if there were substituted a reference to a public gas transporter within the meaning of Part I of the Gas Act 1986.</p> <p>In section 38(3), for the words “or gas” in both places where they appear, there shall be substituted the words “or conveyance of gas through pipes”.</p> <p>In section 32(1) the words “gas or” shall be omitted and the words “or any person carrying on the undertaking of a public gas transporter within the meaning of Part I of the Gas Act 1986” shall be inserted after the word “electricity”.</p> <p>The definition of statutory undertakers in section 37 shall be deemed to include any person carrying on the undertaking of a public gas transporter within the meaning of Part I of the Gas Act 1986.</p>
1986 c.viii.	Yorkshire Water Authority Act 1986.	<p>In section 33(1), in the definitions of “apparatus” and “the undertakers” and in section 38(2), the references to the successor company<sup>(4)</sup> shall have effect as if there were substituted a public gas transporter within the meaning of Part I of the Gas Act 1986.</p>
1986 c.ix.	Ullapool Harbour Order Confirmation Act 1986.	<p>The definition of statutory undertakers in section 6(7) shall be deemed to include a person carrying on the undertaking of a public gas transporter within the meaning of Part I of the Gas Act 1986.</p>
1986 c.xii.	Harrogate Borough Council Act 1986.	<p>In section 24(1), the reference to the successor company shall have effect as if there were substituted a reference to a</p>

(4) The reference to the successor company was substituted by paragraph 34 of Schedule 8 to the Gas Act 1986 (c. 44); by virtue of section 49 of the Gas Act 1986 and S.I. 1986/1317 the successor company is British Gas plc.

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(1) Chapter No.	(2) Title	(3) Extent of modification
1986 c.xiii.	South Yorkshire Passenger Transport Act 1986.	public gas transporter within the meaning of Part I of the Gas Act 1986.  In sections 7(3)(c) and 8(6) (b) references to the successor company shall have effect as if there were substituted references to any public gas transporter within the meaning of Part I of the Gas Act 1986 whose authorised area includes the area in which the road is situated.
1986 c.xv.	Ipswich Port Authority Act 1986.	In section 7(5), the reference to the successor company shall have effect as if there were substituted a reference to a public gas transporter within the meaning of Part I of the Gas Act 1986.
1987 c.iv.	Plymouth City Council Act 1987.	In section 50, for the words “British Gas plc” there shall be substituted the words “a public gas transporter within the meaning of Part I of the Gas Act 1986.”
1987 c.x.	Grampian Regional Council (Harbours) Order Confirmation Act 1987.	The definition of statutory undertakers in section 16(7) shall be deemed to include a person carrying on the undertaking of a public gas transporter within the meaning of Part I of the Gas Act 1986.
1987 c.xxviii.	British Waterways Act 1987.	References to gas undertakers in section 38(1) shall have effect as references to a person carrying on the undertaking of a public gas transporter within the meaning of Part I of the Gas Act 1986.  In section 43(12), for the words “gas or, as the case may be, water” there shall be substituted the words “or water or the conveyance of gas through pipes, as the case may be.”

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(1) Chapter No.	(2) Title	(3) Extent of modification
<a href="#">1988 c.i.</a>	Greater Manchester (Light Rapid Transit System) Act 1988.	The reference to gas undertakers in section 43(1)(b) shall have effect as a reference to public gas transporters within the meaning of Part I of the Gas Act 1986.
<a href="#">1988 c.xix.</a>	Bredero (Bon Accord Centre, Aberdeen) Order Confirmation Act 1988.	In section 10(1), in the definition of “the undertakers” for the words “British Gas plc” there shall be substituted the words “a public gas transporter within the meaning of Part I of the Gas Act 1986”.
<a href="#">1988 c.xxvi.</a>	County of South Glamorgan (Taff Crossing) Act 1988.	In section 8(1) the words “gas or” shall be omitted and the words “or any person carrying on the undertaking of a public gas transporter within the meaning of Part I of the Gas Act 1986, or any undertaking” shall be inserted after the word “electricity”.
<a href="#">1988 c.xxvii.</a>	South Yorkshire Light Rail Transit Act 1988.	In section 34(14), for the words “gas, or as the case may be, water” there shall be substituted the words “or water or the conveyance of gas through pipes, as the case may be,”.
<a href="#">1988 c.xxxiii.</a>	Southern Water Authority Act 1988.	In section 42(13) for the words “supply of gas” there shall be substituted the words “conveyance of gas through pipes, or the supply of”.
<a href="#">1989 c.i.</a>	Port of Tyne Act 1989.	In section 3(5), for the words “British Gas plc” there shall be substituted the words “a public gas transporter within the meaning of Part I of the Gas Act 1986”.
<a href="#">1989 c.iv.</a>	Avon Light Rail Transit Act 1989.	In section 30(17)(a), for the words “gas or, as the case may be, water” there shall be substituted the words “or water or the conveyance of gas through pipes, as the case may be,”.



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(1) Chapter No.	(2) Title	(3) Extent of modification
1989 c.xii.	Hayle Harbour Act 1989.	In section 55(11) the words “gas or” shall be omitted and the words “or the conveyance of gas through pipes” shall be inserted after the word “electricity”.
1989 c.xv.	Midland Metro Act 1989.	In section 41(18)(a), for the words “gas or, as the case may be, water” there shall be substituted the words “or water or the conveyance of gas through pipes, as the case may be,”.
1990 c.x.	British Railways Order Confirmation Act 1990.	References to gas undertakers in section 24 shall have effect as references to a person carrying on the undertaking of a public gas transporter within the meaning of Part I of the Gas Act 1986.
1990 c.xxii.	Medway Tunnel Act 1990.	The references to gas undertakers in section 35(1) shall have effect as references to a person carrying on the undertaking of a public gas transporter within the meaning of Part I of the Gas Act 1986.
1991 c.vii.	Heathrow Express Railway Act 1991.	In section 35(12), for the words “supply of gas” there shall be substituted the words “conveyance of gas through pipes or the supply of”.
1991 c.vii.	Heathrow Express Railway Act 1991.	References to gas undertakers in section 37 shall have effect as references to any person carrying on the undertaking of a public gas transporter within the meaning of Part I of the Gas Act 1986.
1991 c.vii.	Heathrow Express Railway Act 1991.	In section 37(3), for the words “gas or water” there shall be substituted the words “or water or the conveyance of gas through pipes”.
1992 c.i.	British Railways Act 1992.	In section 32(3), for the words “gas or water,” there shall be substituted the words “or

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(1) Chapter No.	(2) Title	(3) Extent of modification
1992 c.xi.	British Railways (No. 2) Act 1992.	water or the conveyance of gas through pipes,”.  References to gas undertakers in section 39 shall have effect as references to any person carrying on the undertaking of a public gas transporter within the meaning of Part I of the Gas Act 1986.  In section 39(3), for the words “gas or” there shall be substituted the words “or water or the conveyance of gas through pipes,”.
1992 c.xiv.	Cattewater Reclamation Act 1992.	In section 8(1), for the words “or gas” there shall be substituted the words “, or operated by a public gas transporter within the meaning of Part I of the Gas Act 1986,”.
1993 c.iv.	British Railways Act 1993.	In section 41(3), for the words “gas or water,” there shall be substituted the words “or water or the conveyance of gas through pipes,”.
1993 c.xv.	Leeds Supertram Act 1993.	In section 41(18)(a), for the words “gas or, as the case may be, water” there shall be substituted the words “or water or the conveyance of gas through pipes, as the case may be,”.
1994 c.i.	British Railways Order Confirmation Act 1994.	In section 30(3), for the words “gas or water,” there shall be substituted the words “or water or the conveyance of gas through pipes,”.
1994 c.iv.	British Railways Act 1994.	In section 26(3), for the words “gas or water” there shall be substituted the words “or water or the conveyance of gas through pipes,”.
1994 c.xi.	Croydon Tramlink Act 1994.	In paragraph 2(3) of Schedule 5, for the words “gas or water” there shall be substituted the words “or

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(1) Chapter No.	(2) Title	(3) Extent of modification
1994 c.xv.	Greater Nottingham Light Rapid Transit Act 1994.	water or the conveyance of gas through pipes,”.  In section 45(18)(a), for the words “gas or, as the case may be, water” there shall be substituted the words “or water, or the conveyance of gas through pipes, as the case may be,”.

## SCHEDULE 2

Article 3

	(1) Chapter No.	(2) Enactment amended
(i)	1986 c.xxii.	Section 29(1) of the Great Yarmouth Outer Harbour Act 1986.
(ii)	1987 c.vii.	Section 2(1) and section 17(10) of the Mid Glamorgan County Council Act 1987.
(iii)	1987 c.viii.	Section 2(1) of the West Glamorgan Act 1987.
(iv)	1987 c.ix.	Sections 2 and 7(1)(d) of the County of Cleveland Act 1987.
(v)	1987 c.xi.	Sections 2(1), 19(10) and 20(11) of the Exeter City Council Act 1987.
(vi)	1987 c.xx.	Section 2(1) of the Essex Act 1987.
(vii)	1987 c.xxiv.	Sections 2(1) and 32(11) of the Dyfed Act 1987.
(viii)	1988 c.i.	Section 2(1) of the Greater Manchester (Light Rapid Transit System) Act 1988.
(ix)	1988 c.xxvii.	Section 34(1) of the South Yorkshire Light Rail Transit Act 1988.
(x)	1988 c.xxviii.	Section 16(2)(c)(ii) of the Harwich Parkeston Quay Act 1988.
(xi)	1988 c.xxxiii.	Section 42(1) of the Southern Water Authority Act 1988.

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	(1) Chapter No.	(2) Enactment amended
(xii)	1989 c.iv.	Sections 2(1) and 30(1) of the Avon Light Rail Transit Act 1989.
(xiii)	1989 c.vi.	Section 2(1) of the Kingston upon Hull City Council Act 1989.
(xiv)	1989 c.xii.	Section 55(1) of the Hayle Harbour Act 1989.
(xv)	1989 c.xv.	Sections 2(1) and 41(1) of the Midland Metro Act 1989.
(xvi)	1990 c.xiv.	Section 14(1) of the Nottingham Park Estate Act 1990.
(xvii)	1990 c.xxii.	Section 35(1) of the Medway Tunnel Act 1990.
(xviii)	1990 c.xxvii.	Section 2 of the Great Yarmouth Port Authority Act 1990.
(xix)	1992 c.iv.	Section 34(1)(b) of the Aire and Calder Navigation Act 1992.
(xx)	1992 c.viii.	Section 2(1) of the Midland Metro (No. 2) Act 1992.
(xxi)	1993 c.v.	Section 2(1) of the Midland Metro Act 1993.
(xxii)	1993 c.xv.	Sections 2(1) and 41(1)(b) of the Leeds Supertram Act 1993.
(xxiii)	1994 c.xi.	Section 2(1) of, and paragraph 2(1) of Schedule 5 to the Croydon Tramlink Act 1994.
(xxiv)	1994 c.xv.	Sections 2(1) and 45(1) of the Greater Nottingham Light Rapid Transit Act 1994.
(xxv)	1995 c.i.	Section 3(1) of the British Waterways Act 1995.

## SCHEDULE 3

Article 4

	(1) Chapter No.	(2) Enactment amended
(i)	1989 c.ii.	Section 14(2) of the London Regional Transport Act 1989.
(ii)	1990 c.xix.	Section 60 of the River Tees Barrage and Crossing Act 1990.
(iii)	1991 c.x.	Section 19(2)(a) of the London Underground (Victoria) Act 1991.
(iv)	1991 c.xviii.	Section 25(2)(a) of the London Underground (Safety Measures) Act 1991.
(v)	1991 c.xxiii.	Section 13(2)(a) of the London Docklands Railway Act 1991.
(vi)	1992 c.i.	Section 32 of the British Railways Act 1992.
(vii)	1992 c.iii.	Section 29(2)(a) of the London Underground Act 1992.
(viii)	1992 c.iv.	Section 34 of the Aire and Calder Navigation Act 1992.
(ix)	1992 c.v.	Section 49 of the Avon Weir Act 1992.
(x)	1993 c.iv.	Section 41 of the British Railways Act 1993.
(xi)	1993 c.vii.	Section 27(2)(a) of the London Docklands Railway (Lewisham) Act 1993.
(xii)	1993 c.ix.	Section 22(2)(a) of the London Underground (Jubilee) Act 1993.
(xiii)	1994 c.i.	Section 30 of the British Railways Order Confirmation Act 1994.
(xiv)	1994 c.ii.	Section 27 of the British Railways (No. 2) Order Confirmation Act 1994.
(xv)	1994 c.iii.	Section 29 of the British Railways (No. 3) Order Confirmation Act 1994.
(xvi)	1994 c.iv.	Section 26 of the British Railways Act 1994.

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	(1) Chapter No.	(2) Enactment amended
(xvii)	1994 c.ix.	Section 19(2)(a) of the London Underground (Green Park) Act 1994.

## SCHEDULE 4

Article 5

	(1) Statutory Instrument Reference	(2) Enactment amended
(i)	S.I. 1986/2150.	Article 8 of the Vickers Shipbuilding and Engineering Limited (Barrow-in-Furness) Light Railway Order 1986.
(ii)	S.I. 1987/1443.	Article 12 of the Swanage Light Railway Order 1987.
(iii)	S.I. 1988/725.	Article 10 of the Kinneil and Manuel Light Railway Order 1988.
(iv)	S.I. 1989/835.	Article 14 of the Bure Valley Railway Light Railway Order 1989.
(v)	S.I. 1989/1625.	Article 10 of the Bodmin Railway Centre Light Railway Order 1989.
(vi)	S.I. 1989/1833.	Article 9 of the Cholsey and Wallingford Light Railway Order 1989.
(vii)	S.I. 1989/1941.	Article 2 of the Cowes Harbour Revision Order 1989.
(viii)	S.I. 1989/2428.	Article 8(b) of the Portland Harbour Fishery Order 1989.
(ix)	S.I. 1991/933.	Article 12(a) of the North Tyneside Steam Railway Light Railway Order 1991.
(x)	S.I. 1991/2194.	Article 14 of the Kirklees Light Railway Order 1991.
(xi)	S.I. 1991/2210.	Article 12 of the Grimsby and Louth Light Railway Order 1991.
(xii)	S.I. 1991/2812.	Article 12 of the Peak Rail Light Railway Order 1991.

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	(1) Statutory Instrument Reference	(2) Enactment amended
(xiii)	S.I. <a href="#">1992/1113</a> .	Article 12 of the Cholsey and Wallingford Light Railway (Extension and Amendment) Order 1992.
(xiv)	S.I. <a href="#">1992/1267</a> .	Article 11 of the Brechin and Bridge of Dun Light Railway Order 1992.
(xv)	S.I. <a href="#">1992/2957</a> .	Article 9(2)(c) of the River Roach Oyster Fishery Order 1992.
(xvi)	S.I. <a href="#">1992/3038</a> .	Article 16(2)(c) of the Wash Fishery Order 1992.
(xvii)	S.I. <a href="#">1993/1083</a> .	Article 11 of the Peak Light Railway Order 1993.
(xviii)	S.I. <a href="#">1993/1607</a> .	Article 13 of the Swanage Light Railway (Extension) Order 1993.
(xix)	S.I. <a href="#">1993/1651</a> .	Article 8 of the Tunbridge Wells and Eridge Light Railway Order 1993.
(xx)	S.I. <a href="#">1993/2153</a> .	Article 8 of the Manchester, Liverpool Road (Castlefield Properties Limited) Light Railway Order 1993.
(xxi)	S.I. <a href="#">1993/2154</a> .	Article 7 of the East Kent Light Railway Order 1993.
(xxii)	S.I. <a href="#">1994/691</a> .	Article 9 of the Bowes Extension Light Railway Order 1994.
(xxiii)	S.I. <a href="#">1994/1331</a> .	Article 11 of the Lydney and Parkend Light Railway (Extension and Amendment) Order 1994.
(xxiv)	S.I. <a href="#">1994/1761</a> .	Article 22 of the Wirral Tramway Light Railway Order 1994.
(xxv)	S.I. <a href="#">1994/2329</a> .	Article 12(2)(c) of the Thames Estuary Cockle Fishery Order 1994.
(xxvi)	S.I. <a href="#">1995/1300</a> .	Article 9 of the Northampton and Lamport Light Railway Order 1995.

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	(1) Statutory Instrument Reference	(2) Enactment amended
(xxvii)	S.I. <a href="#">1995/2145</a> .	Article 6(2)(c) of the Swansea Bay Mussel Fishery Order 1995.
(xxviii)	S.I. <a href="#">1995/2501</a> .	Article 10 of the Low Moor Tramway Light Railway Order 1995.

#### EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order makes modifications to local Acts and Orders in consequence of the enactment of the Gas Act 1995. Article 2 modifies the local Acts in the manner set out in Schedule 1. Article 3 amends the local Acts in Schedule 2 so as to substitute references to a public gas transporter within the meaning of Part I of the Gas Act 1986 for references to a public gas supplier. Article 4 amends references in the local Acts in Schedule 3 to any person authorised to carry on, in a particular area, an undertaking for the supply of gas so as to substitute references to a public gas transporter within the meaning of Part I of the Gas Act 1986 whose authorised area includes that area. Article 5 amends the local Orders in Schedule 4 so as to substitute references to a public gas transporter within the meaning of Part I of the Gas Act 1986 for references to a public gas supplier.