

SCHEDULE 2

AMENDMENTS TO GAS ACT 1986

4. In section 19D (acquisition of rights to use LNG facilities)—
- (a) in subsection (1) for “The owner of an LNG facility” substitute “Subject to subsection (2A), the owner of an LNG import facility”;
 - (b) in subsection (1)(a) for “at least once in every year” substitute “prior to their entry into force”, and for “LNG” substitute “liquid gas”;
 - (c) subsection (2) shall cease to have effect;
 - (d) after subsection (2) insert—
 - “(2A) The cost or the method of determining the cost of acquiring the right to have liquid gas treated in a relevant facility and any changes thereto must be approved by the Authority prior to their publication; and such approval may be given on condition that certain modifications are made to the cost or methodology.
 - (2B) Before the owner of a relevant facility seeks approval under subsection (2A) he must carry out such consultation as the Authority may require.”;
 - (e) in subsections (3) and (4) for “LNG” substitute “liquid gas”;
 - (f) in subsection (6) paragraph (a) shall cease to have effect;
 - (g) in subsection (6)(b) and (c) for “LNG” substitute “liquid gas”;
 - (h) for subsection (7) substitute—
 - “(7) The owner shall notify the applicant of his decision giving reasons for any refusal.”;
 - (i) in subsection (8) for the words “and the applicant do not reach any such agreement” substitute “refuses the application”;
 - (j) subsection (9) shall cease to have effect;
 - (k) in subsection (10) for the words from “Where” to “shall—” substitute “Where a person applies to the Authority under subsection (8), the Authority shall—”;
 - (l) for subsection (10)(a) substitute—
 - “(a) decide whether to give directions under subsection (11), to consider the application further or to reject the application”;
 - (m) for subsection (10)(c) substitute—
 - “(c) in the case of a decision that the application is to be considered further—
 - (i) give to the owner of the facility, the Health and Safety Executive and any person who has a right to have liquid gas treated in the facility notice that the application is to be so considered and an opportunity of being heard about the matter; and
 - (ii) after so considering the matter, decide whether to give directions under subsection (11) or to reject the application and give notice of its decision to the applicant.”
 - (n) in subsection (11) for “LNG”, in each place where it occurs, substitute “liquid gas”;
 - (o) in subsection (12)(a)(i)—
 - (i) omit the words “for the period specified in the directions”; and
 - (ii) for “LNG” substitute “liquid gas”;
 - (p) in subsection (12)(a)(iii) for “LNG” substitute “liquid gas”; and

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(q) in subsection (12)(a)(iv) omit the words from “(which” to the end.