
STATUTORY INSTRUMENTS

1996 No. 275

The Gas (Northern Ireland) Order 1996

PART II

GAS SUPPLY AND ASSOCIATED ACTIVITIES

Modification of licences

Modification by order under other statutory provisions

18^{F1}.—^{F2}(1) Where the ^{F3}CMA] or (as the case may be) the Secretary of State (in this Article “the relevant authority”) makes a relevant order, the order may also provide for the modification of—

- (a) the conditions of a particular licence; or
- (b) the standard conditions of licences under sub-paragraph (a), (b) ^{F4}, (c) or (d)] of Article 8(1),

to such extent as may appear to the relevant authority to be requisite or expedient for the purpose of giving effect to, or taking account of, any provision made by the order.

(1A) In paragraph (1) “relevant order” means—

- (a) an order under section 75, 83 or 84 of, or paragraph 5, 10 or 11 of Schedule 7 to, the Enterprise Act 2002 where—
 - (i) one or more than one of the enterprises which have, or may have, ceased to be distinct enterprises was engaged in the carrying on of activities authorised or regulated by a licence; or
 - (ii) one or more than one of the enterprises which will or may cease to be distinct enterprises is engaged in the carrying on of activities authorised or regulated by a licence; or
- (b) an order under section 160 or 161 of that Act where the feature, or combination of features, of the market ^{F5}or markets] in the United Kingdom for goods or services which prevents, restricts or distorts competition relates to activities authorised or regulated by a licence.]

^{F6}(1A) The modification under paragraph (1)(i) of part of a standard condition of a particular licence shall not prevent any other part of the condition from continuing to be regarded as a standard condition for the purposes of this Part.]

(2) Where at any time the^{F2} relevant authority modifies under paragraph (1)(b)] the standard conditions of licences under sub-paragraph (a), (b) ^{F7}, (c) or (d)] of Article 8(1),^{F2} the relevant authority]

- (a) shall also make (as nearly as may be) the same modifications of those conditions for the purposes of their incorporation in licences under that sub-paragraph granted after that time; and

Changes to legislation: *The Gas (Northern Ireland) Order 1996, Section 18 is up to date with all changes known to be in force on or before 23 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (b) may, after consultation with the Director, make such incidental or consequential modifications as^[F2] the relevant authority] considers necessary or expedient of any conditions of licences under that sub-paragraph granted before that time.

Para. (3) rep. by 2002 c. 40

- (4) Where at any time the^[F2] relevant authority] modifies standard conditions under paragraph (2) (a) for the purposes of their incorporation in licences under sub-paragraph (a), (b) ^[F8], (c) or (d)] of Article 8(1) granted after that time,^[F2] the relevant authority] shall publish the modifications in such manner as^[F2] the relevant authority] considers appropriate.

^[F2](5) Expressions used in paragraph (1A) above and in Part 3 or (as the case may be) Part 4 of the Enterprise Act 2002 have the same meanings in that paragraph as in that Part.]

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| F1 | mod. by SI 2003/1592 |
| F2 | 2002 c. 40 |
| F3 | Word in art. 18(1) substituted (1.4.2014) by Enterprise and Regulatory Reform Act 2013 (c. 24) , ss. 26(4), 103(3), Sch. 6 para. 165 ; S.I. 2014/416, art. 2(1)(d) (with Sch.) |
| F4 | Words in art. 18(1)(b) substituted (12.4.2013) by Gas and Electricity (Internal Markets) Regulations (Northern Ireland) 2013 (S.R. 2013/92) , reg. 27 |
| F5 | Words in art. 18(1A)(b) inserted (1.4.2014) by Enterprise and Regulatory Reform Act 2013 (Competition) (Consequential, Transitional and Saving Provisions) Order 2014 (S.I. 2014/892) , art. 2, Sch. 1 para. 220 (with art. 3) |
| F6 | 2003 NI 6 |
| F7 | Words in art. 18(2) substituted (12.4.2013) by Gas and Electricity (Internal Markets) Regulations (Northern Ireland) 2013 (S.R. 2013/92) , reg. 27 |
| F8 | Words in art. 18(4) substituted (12.4.2013) by Gas and Electricity (Internal Markets) Regulations (Northern Ireland) 2013 (S.R. 2013/92) , reg. 27 |

Changes to legislation:

The Gas (Northern Ireland) Order 1996, Section 18 is up to date with all changes known to be in force on or before 23 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- Instrument am. (pt.prosp.) by [1998 c. 41 s.66\(5\)Sch.10 Pt.III para.8](#)
- Instrument amended by [1998 c. 41 s.66\(5\)Sch.10 Pt.V para.18](#)
- Instrument rev. in pt. (prosp.) by [1998 c. 41 ss.66\(5\),74\(3\)](#), Sch.10, Pt.V, para.18, Sch.14, Pt.II
- art. 18(1A)(a) word omitted by virtue of S.I. 2019/93, Sch. 1 para. 7(2)(a) (as substituted) by [S.I. 2019/1245 reg. 24](#) (This amendment not applied to [legislation.gov.uk](#). The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 18(1A)(aa) inserted by S.I. 2019/93, Sch. 1 para. 7(2)(b) (as substituted) by [S.I. 2019/1245 reg. 24](#) (This amendment not applied to [legislation.gov.uk](#). The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)