STATUTORY INSTRUMENTS

1996 No. 275 (N.I. 2)

The Gas (Northern Ireland) Order 1996

14th February 1996

THE GAS (NORTHERN IRELAND) ORDER 1996

PART I

INTRODUCTORY

- 1. Citation and commencement
- 2. Interpretation # general

PART II

GAS SUPPLY AND ASSOCIATED ACTIVITIES

Interpretation

3. Interpretation of Part II Arts. 4#5 rep. by 2003 NI 6

Licensing of supply of gas and associated activities

- 6. Prohibition on unlicensed supply of gas and associated activities
- 7. Exemptions from Article 6
- 7A Closed distribution systems
- 7B (1) Any condition specified in an order under Article 7(1)(c)...
- 7C (1) If, after a system has been classified as a...
- 7D (1) In Article 7A to 7C—" charging statement"...
- 8. Licences authorising supply, etc.
- 8A Licences under Article 8(1)(a)
- 8B The conveyance of gas: requirement to be certified as independent
- 8C Application for certification
- 8D Report where applicant connected with a country outside the United Kingdom
- 8E Certification
- 8F Grounds for certification
- 8G The ownership unbundling requirement
- 8H Designation for the purposes of the Gas Regulation
- 8I Monitoring and review of certification

- 8J Report as to any connection of a certified person with a country outside the United Kingdom
- 8K Continuation or withdrawal of certification
- 8L Interpretation
- 9. Exclusive licences under Article 8(1)(a) or (c)
- 9A The prohibition in Article 9(3) does not apply to the...
- 10. Conditions of licences
- 10A Licences: further conditions
- 10AA Licensing and energy efficiency
 - 10B Exemption from requirement for system access
 - 11. Standard conditions of licences
 - 12. Assignment of licences
 - 13. Powers of licence holders

Modification of licences

- 14. Modification of conditions of licences
- 14A Modification of conditions under Article 14: supplementary
- 15. Modification references to Competition and Markets Authority
- 15A References under Article 15: time limits
- 15B References under Article 15: powers of investigation
- 16. Reports on modification references
- 17. Modification following report
- 17A CMA's power to veto modifications following report
- 18. Modification by order under other statutory provisions Art. 18A rep. by 2003 NI 6
 Arts. 19#21 rep. by 2003 NI 6

Appeal from decisions of the Authority

- 14B Appeal to the CMA
- 14C Procedure on appeal to CMA
- 14D Determination by CMA of appeal
- 14E CMA's powers on allowing appeal
- 14F Time limits for CMA to determine an appeal
- 14G Determination of appeal by CMA: supplementary

Meters

- 21A Individual meters
- 22. Meter testing and stamping

Consumer protection: miscellaneous

- 23. Functions with respect to competition
- 24. Fixing of maximum charges for reselling gas
- 24A Suppliers of Last Resort
- 24A Billing disputes: gas
- 24B Billing disputes

Arts. 25, 26 rep. by 2003 NI 6

Other functions of Director

- 27. General functions
- 27A Dispute resolution

Document Generated: 2024-02-04

Changes to legislation: The Gas (Northern Ireland) Order 1996 is up to date with all changes known to be in force on or before 04 February 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

Art. 28 rep. by 2003 NI 6

- 29. Keeping of register
- 30. Power to require information, etc.

Art. 31 rep. by 2003 NI 6

32. Annual and other reports

Provisions with respect to the General Consumer Council

Art. 33 rep. by 2003 NI 6

34. Reports of the General Consumer Council

Major pipe-lines, gas storage facilities and gas processing facilities

- 35. Consent of Authority for construction of major pipe-line
- 36. Increase of capacity, etc. of pipe-line
- 37. Consent of Authority for construction of gas storage facility
- 37A Consent of Department for construction of LNG facility
- 38. Increase of capacity of gas storage facility
- 38A Requirements for major pipe-lines etc
- 38B Increase of capacity of LNG facility
- 39. Acquisition of rights to use gas processing facilities
- 39A (1) A person who is or expects to be the...
- 39B If the Authority gives, or refuses to give, an exemption...

Miscellaneous

- 40. Directions for preserving security of gas supplies, etc.
- 41. Exclusion of certain agreements from Restrictive Trade Practices Act 1976
- 42. Disposal of assets of former gas undertaker to require consent of Department
- 43. Transfer to licence holder of assets and liabilities of former gas undertaker Art. 44 rep. by 2003 NI 6
- 45. Directions restricting the use of certain information
- 46. Making of false statements, etc.

Supplemental

- 47. Concurrent proceedings
- 48. Public inquiries

PART III

SAFETY

Interpretation

49. Interpretation of Part III

Safety of pipe-lines

Arts. 50#54 rep. by SR 1997/193

55. Prohibition by Department of use or testing of pipe-line Arts. 56#58 rep. by SR 1997/193

Information, hearings and notices

- 59. Notification of abandonment, cesser of use and beginning or resumption of use of pipe-lines or lengths thereof
- 60. Fire authority, police, etc., to he notified of certain pipe-line accidents and to he furnished with information
- 61. Notification of change of ownership of pipe-line
- 62. Regulations as to hearings under this Part
- 63. Provisions as to requirements and prohibitions imposed under this Part

Miscellaneous

Art. 64 rep. by SR 1997/195

65. Powers of entry

PART IV

SUPPLEMENTAL

- 66. Repayment of fees
- 67. Compensation
- 68. Application to Crown land
- 69. Regulations and orders
- 70. Directions
- 71. Amendments, transitional provisions, savings and repeals

SCHEDULES

SCHEDULE 2 — COMPULSORY ACQUISITION OF LAND
PART I — COMPULSORY ACQUISITION OF LAND BY LICENCE
HOLDERS

- 1. (1) Where a licence holder proposes to acquire, otherwise than...
- 2. (1) No application shall be made under paragraph 1 for...
- 3. (1) The power to make a vesting order under paragraph...
- 4. (1) Nothing in this Schedule shall authorise the acquisition, without...
- 5. (1) Where a licence holder has acquired any land under...
- 6. Schedule 6 to the Local Government Act (Northern Ireland) 1972...

PART II — LICENCE HOLDERS' LAND EXCLUDED FROM COMPULSORY ACQUISITION

7. Where—(a) an application for a vesting order is made...

SCHEDULE 3 — OTHER POWERS ETC., OF LICENCE HOLDERS

— Interpretation (1) In this Schedule— "controlled works" means any such works...

Interpretation

1. (1) In this Schedule— "controlled works" means any such works...

Works involving breaking up streets

2. (1) Subject to the Street Works (Northern Ireland) Order 1995...

Alteration of apparatus, etc., under streets

3. (1) Subject to sub-paragraph (2), a licence holder may, subject...

Alteration of gas apparatus under streets

4. (1) An electricity licence holder, government department, electronic communications code...

Controlled works in a street near to apparatus

5. (1) The following provisions of this paragraph apply where a...

Works in a street near to gas apparatus

6. (1) The following provisions of this paragraph apply where an...

Emergency works

7. (1) Where any person would be required to serve any...

Protection from interference

8. (1) Subject to sub-paragraph (2), a licence holder who carries...

Modification of paragraphs 2 to 8

9. The provisions of paragraphs 2 to 8 may be modified...

Acquisition of wayleaves

10. (1) This paragraph applies where—(a) for any purpose connected...

Assignment of necessary wayleave

10A (1) Subject to the following provisions of this paragraph, a...

Provisions supplementary to paragraph 10

11. (1) Where a wayleave is granted to a licence holder...

Temporary continuation of wayleaves

12. (1) This paragraph applies where at any time such a...

Felling and lopping of trees, etc.

13. (1) This paragraph applies where any tree is or will...

Entry on land for purposes of exploration

14. (1) Subject to the following provisions of this paragraph and...

Provisions supplementary to paragraphs 13 and 14

15. (1) Any person who intentionally obstructs a person acting in...

SCHEDULE 3A — Procedure for appeals under Article 14B

- Application for permission to bring appeal
- 1. (1) An application for permission to bring an appeal may...

- Suspension of decision
 2. (1) The CMA may direct that, pending the determination of...

 Time limit for representations and observations by the Authority
 3. (1) Sub-paragraph (2) applies where the Authority wishes to make...

 Consideration and determination of appeal by group
 4. (1) A group constituted by the chair of the CMA...

 Matters to be considered on appeal
 5. (1) The CMA, if it thinks it necessary to do...

 Production of documents etc.
 6. (1) For the purposes of this Schedule, the CMA may,...

 Oral hearings
 7. (1) For the purposes of this Schedule an oral hearing...

 Written statements
- Defaults in relation to evidence 10. (1) If a person ("the defaulter")—

8.

9

- (1) If a person (" the defaulter ")—

 Appeal rules
- 11. (1) The CMA Board may make rules of procedure regulating...

Where permission to bring an appeal is granted under paragraph...

- Costs
- 12. (1) A group that determines an appeal must make an...

(1) The CMA may, by notice, require a person to...

— Expert advice

- Interpretation of Schedule
- 13. (1) In this Schedule—" appeal" means an appeal...

SCHEDULE 5 — POWERS OF ENTRY, ETC.

— Interpretation In this Schedule— "gas fittings" means any fittings, apparatus and...

Interpretation

1. In this Schedule— "gas fittings" means any fittings, apparatus and...

Powers of entry, etc.

- 2. (1) The Department may by regulations make provision for empowering...
- 3. (1) The Department may by regulations make provision—
- 4. (1) Any person authorised by a relevant licence holder may...

Exercise of powers of entry

5. (1) A power of entry conferred by or under this...

Warrant to authorise entry

6. (1) Where a justice of the peace is satisfied by...

Premises to be left secure and damage to be made good

7. Where, under any powers conferred by or under this Schedule,...

Penalty for obstruction

8. If any person intentionally obstructs any person exercising powers of...

Document Generated: 2024-02-04

Changes to legislation: The Gas (Northern Ireland) Order 1996 is up to date with all changes known to be in force on or before 04 February 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

SCHEDULE 7 — TRANSITIONAL AND SAVING PROVISIONS
— Interpretation (1) In this Schedule— "appointed day", in any provision, means...

Interpretation

1. (1) In this Schedule— "appointed day", in any provision, means...

Rundown and closure of former gas undertakers

2. Except as provided by Articles 42 and 43, this Order...

Transitional arrangements for former gas undertakers becoming licence holders under this Order

3. (1) This paragraph applies to a person who—

Power to make further transitional provisions

4. Without prejudice to Article 1(3), the Department may at any...

_

Changes to legislation:

The Gas (Northern Ireland) Order 1996 is up to date with all changes known to be in force on or before 04 February 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. View outstanding changes

Changes and effects yet to be applied to:

- Sch. 6 entry repealed by 2009 c. 8 (N.I.) Sch. 2 (Amendment not applied relevant text not available on legislation.gov.uk)
- Sch.6 rev. in pt. (prosp.) by 2000 c. 26 s.127(6)Sch 9
- Sch. 6 words repealed by 2011 c. 25 (N.I.) Sch. 7 (Amendment not applied relevant text not available on legislation.gov.uk)
- Sch. 6 words repealed by S.I. 2006/3336 (N.I.) Sch. 13 (This amendment not applied to legislation.gov.uk. The text of Sch. 6 is no longer available)
- 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
- arts.1516172344 am. (Nl) by S.I. 1999/506 art.44
- 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.)
- art. 23(3)(a) word inserted by S.I. 2019/93 Sch. 1 para. 7(2) (This amendment not applied to legislation.gov.uk. Sch. 1 para. 7(2)(3) substituted immediately before IP completion day by S.I. 2020/1343, regs. 1(1), 19)
- art. 23(3)(a) word inserted by S.I. 2019/93, Sch. 1 para. 7(3)(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.)
- art. 23(3)(c) omitted by S.I. 2019/93 Sch. 1 para. 7(3) (This amendment not applied to legislation.gov.uk. Sch. 1 para. 7(2)(3) substituted immediately before IP completion day by S.I. 2020/1343, regs. 1(1), 19)
- art. 23(3)(c)(d) omitted by virtue of S.I. 2019/93, Sch. 1 para. 7(3)(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.)
- art. 23(3)(d) omitted by S.I. 2019/93 Sch. 1 para. 7(3) (This amendment not applied to legislation.gov.uk. Sch. 1 para. 7(2)(3) substituted immediately before IP completion day by S.I. 2020/1343, regs. 1(1), 19)

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.)