



CHAPTER xxxvii.

An Act to amend enactments relating to the method of charging for gas supplied by the Gas Light and Coke Company and for other purposes. [26th July 1946.]

WHEREAS the Gas Light and Coke Company (hereinafter referred to as "the Company") were originally incorporated for a term of years by royal charter in the year one thousand eight hundred and twelve and were incorporated in perpetuity by the Act 59 George 3. cap. xx (local):

And whereas by the Gas Light and Coke Company's Act 1868 all the prior Acts of the Company were repealed and the Company were continued and the provisions of all such prior Acts were consolidated and amended:

And whereas the limits of supply of the Company comprise a large part of the county of London and parts of the counties of Middlesex Essex Surrey Hertford Buckingham and Berks:

And whereas the Company have in accordance with section 6 of the Gas Undertakings Act 1934 given notice to the local authorities of counties and districts wholly or partly within the said limits of supply stating the price per therm (in the said section referred to as "the published price") at which the Company are prepared to supply gas to persons who are entitled to a supply of gas from them and do not enter into a special contract for the supply thereof:

And whereas it is provided by subsections (2) and (3) of the said section 6 that except in respect of any area in which the undertakers are authorised or required to charge a

59 Geo. 3. c. xx.
31 & 32 Vict. c. cvi.

24 & 25 Geo. 5. c. 28.

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differential price the price stated in any such notice shall be the same for every therm supplied in the form of gas by the undertakers otherwise than under a special contract and that the price charged by the undertakers for gas so supplied shall not differ from the published price:

And whereas it is expedient that the Company should be empowered to charge for gas supplied by them in accordance with a scale of diminishing prices for increasing quantities:

And whereas for the purpose aforesaid it is expedient that the provisions of the said section 6 in its application to the Company should be amended as by this Act provided:

And whereas it is expedient that the other provisions contained in this Act should be enacted:

And whereas the purposes of this Act cannot be effected without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted and be it enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

Short title. 1. This Act may be cited as the Gas Light and Coke Company's Act 1946.

Interpretation. 2. In this Act unless the subject or context otherwise requires—

“ the Company ” means the Gas Light and Coke Company;

“ the limits of supply ” means the limits within which the Company are for the time being authorised to supply gas;

“ quantity ” or “ quantities ” means the number of therms supplied in the form of gas;

“ differential price ” means the amount or maximum amount by which the price per therm charged for gas supplied by the Company (otherwise than under a special contract) in any part of the limits of supply is authorised or required by the express provisions of any Act or Order to exceed the price per therm charged for a like quantity of gas so supplied in another specified part of the limits of supply;

“ differential price area ” means any part of the limits of supply for gas supplied wherein the Company for the time being charge a price per therm which includes a differential price;

the expressions "local authority" and "special contract" have the same respective meanings as are assigned to those expressions by the Gas Undertakings Acts 1920 to 1934.

3. Notwithstanding anything contained in section 6 (Publication of prices by undertakers and consequences thereof) of the Gas Undertakings Act 1934 the Company may subject to the provisions of section 4 (Notice to local authorities) of this Act if and when they think fit charge for gas supplied by them in any period (otherwise than under a special contract) prices per therm varying in accordance with a scale of diminishing prices for increasing quantities: Power to make block rate charges.

Provided that except with the consent of the Minister of Fuel and Power the highest price per therm specified in any such scale in relation to any part of the limits of supply shall not exceed the lowest price per therm so specified in relation to that part by more than forty per centum of such lowest price:

Provided also that the prices per therm specified in any such scale in respect of gas supplied in any differential price area may or shall (as the case may require) exceed to the extent of the differential price applicable to that area the prices per therm specified in such scale in respect of a like quantity of gas supplied in the relevant other part of the limits of supply.

4.—(1) Before commencing to exercise the powers of section 3 (Power to make block rate charges) of this Act the Company shall give to every local authority a notice in writing setting forth the scale of quantities and prices per therm in accordance with which they are prepared to supply gas (otherwise than under a special contract) in the several parts of the limits of supply. Notice to local authorities.

(2) The Company may from time to time vary the scale of quantities and prices set forth in any notice given pursuant to subsection (1) of this section and for the time being in force and on each occasion of such variation they shall give to every local authority previous notice in writing thereof containing the like particulars as are required by that subsection.

(3) Any notice given under subsection (1) or subsection (2) of this section shall be deemed to have been given under subsection (1) of section 6 of the Gas Undertakings Act 1934 and the provisions of such last-mentioned section shall subject as hereinafter provided apply and have effect in relation to any such notice accordingly:

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Provided that—

- (a) the provisions of subsection (2) of the said section 6 shall not apply to the prices stated in any such notice as aforesaid;
- (b) a reference to “ prices ” shall be substituted for the references to “ price ” wherever such last-mentioned expression occurs (except in paragraph (d) of subsection (3)) in that section.

Amendment
of enactments
relating to
differential
prices.

5. The provisions contained in any Act or Order authorising or requiring the Company to charge a differential price in any differential price area shall in respect of any period during which the gas supplied by the Company is charged for in accordance with section 3 (Power to make block rate charges) of this Act be read and have effect as if references to the several prices per therm charged for gas supplied in that area and in any other specified part of the limits of supply were substituted for the references in those provisions to the price per therm charged for gas supplied in that differential price area and the price per therm charged for gas supplied in such other specified part.

Amendment
of Part III of
Gas Light
and Coke
Company's
Act 1931.
21 & 22 Geo. 5.
c. xlviii.

6. For the purpose of the application to the Company of Part III (Price of gas and application of profits) of the Gas Light and Coke Company's Act 1931 (in this section referred to as “ the Act of 1931 ”) the following modifications of that Part shall have effect in respect of any period during which the gas supplied by the Company is charged for in accordance with section 3 (Power to make block rate charges) of this Act:—

- (1) Section 43 (Definition of expressions in Part III of Act) of the Act of 1931 shall be read and have effect as if the following definition were substituted in that section for the definition therein contained of the expression “ differential price area ” (that is to say):—

“ The expression ‘ differential price area ’ means any part of the limits of supply in which for the time being gas supplied by the Gas Light Company (otherwise than under a special contract) is pursuant to the express provisions of any Act or Order charged for by them at prices per therm exceeding the prices per therm charged by the Gas Light Company (otherwise than under a special contract) for like quantities of gas supplied by them in the central area ”;

and as if the definitions of the expressions “ the excess price ” and “ the product of the excess price ” were omitted therefrom:

(2) Section 46 (Division of profits) of the Act of 1931 shall be read and have effect as if—

(a) the words “(after deducting the product of the excess price)” were omitted from paragraph (1) of that section;

(b) the following words were added at the end of that paragraph (that is to say):—

“ and the amount payable by a consumer of gas supplied in any differential price area shall be deemed to be the amount which would have been payable by him if the gas so supplied had been charged for at the price or prices payable for a like quantity of gas supplied by the Gas Light Company in the central area ”; and

(c) the expression “ the highest price charged ” were substituted for the expression “ the price charged ” in subsection (6) of that section.

7. Nothing in this Act or done thereunder shall prejudice or affect the power of the Company to enter into special contracts for the supply of gas or shall apply to or affect any such contract or the price chargeable by the Company for gas supplied thereunder. Saving for special contracts.

8.—(1) Unless and until the Company commence to exercise the power conferred by section 3 (Power to make block rate charges) of this Act nothing in this Act shall alter or affect the method of charging for gas supplied by them in accordance with the relevant enactments as existing immediately before the passing of this Act. As to existing enactments.

(2) If and when the Company exercise the power conferred by the said section 3 they may at any time after commencing so to do discontinue either permanently or temporarily such exercise and thereupon the said existing relevant enactments shall during the period of such discontinuance have effect as if this Act had not been passed.

9. All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company and may be defrayed wholly or partly out of revenue. Costs of Act.

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