

Status: Point in time view as at 31/12/2020.

Changes to legislation: Gas Act 1986, Cross Heading: Introductory is up to date with all changes known to be in force on or before 20 June 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)



Gas Act 1986

1986 CHAPTER 44

PART I

GAS SUPPLY

Introductory

F1

Textual Amendments

F1 S. 1 repealed (7.11.2000) by [2000 c. 27](#), s. 108, Sch. 8; [S.I. 2000/2974](#), art. 2, [Sch.](#) (subject to transitional provisions in [arts. 3-12](#))

F2

Textual Amendments

F2 S. 2 repealed (7.11.2000) by [2000 c. 27](#), s. 108, Sch. 8; [S.I. 2000/2974](#), art. 2, [Sch.](#) (subject to transitional provisions in [arts. 3-12](#))

F3

Textual Amendments

F3 S. 3 repealed (1.10.2001) by [2000 c. 27](#), s. 108, [Sch. 8](#); [S.I. 2001/3266](#), arts. 1(2), 2, [Sch.](#) (subject to transitional provisions in [arts. 3-20](#))

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[^{F4}4AA The principal objective and general duties of the Secretary of State and the Authority.

- (1) The principal objective of the Secretary of State and the Gas and Electricity Markets Authority (in this Act referred to as “the Authority”) in carrying out their respective functions under this Part is to protect the interests of [^{F5}existing and future] consumers in relation to gas conveyed through pipes ^{F6}....

[Those interests of existing and future consumers are their interests taken as a whole, ^{F7}(1A) including—

- (a) their interests in the reduction of gas-supply emissions of targeted greenhouse gases; ^{F8}...
- (b) their interests in the security of the supply of gas to them^{F9}; and
- (c) their interests in the fulfilment by the Authority, when carrying out its [^{F10}designated regulatory functions], of the [^{F11}designated regulatory objectives].]

(1B) The Secretary of State and the Authority shall carry out their respective functions under this Part in the manner which the Secretary of State or the Authority (as the case may be) considers is best calculated to further the principal objective, wherever appropriate by promoting effective competition between persons engaged in, or in commercial activities connected with, the shipping, transportation or supply of gas conveyed through pipes.

(1C) Before deciding to carry out functions under this Part in a particular manner with a view to promoting competition as mentioned in subsection (1B), the Secretary of State or the Authority shall consider—

- (a) to what extent the interests referred to in subsection (1) of consumers would be protected by that manner of carrying out those functions; and
- (b) whether there is any other manner (whether or not it would promote competition as mentioned in subsection (1B)) in which the Secretary of State or the Authority (as the case may be) could carry out those functions which would better protect those interests.]

(2) [^{F12}In performing the duties under subsections (1B) and (1C), the Secretary of State or the Authority shall have regard to]—

- (a) the need to secure that, so far as it is economical to meet them, all reasonable demands in Great Britain for gas conveyed through pipes are met; and
- (b) the need to secure that licence holders are able to finance the activities which are the subject of obligations imposed by or under this Part [^{F13}, the Utilities Act 2000 [^{F14}, Part 5 of the Energy Act 2008 or section 4, Part 2, or sections 26 to 29 of the Energy Act 2010]]^{F15}; and
- (c) the need to contribute to the achievement of sustainable development.]

(3) In performing [^{F16}the duties under subsections (1B), (1C) and (2)], the Secretary of State or the Authority shall have regard to the interests of—

- (a) individuals who are disabled or chronically sick;
- (b) individuals of pensionable age;
- (c) individuals with low incomes; and
- (d) individuals residing in rural areas;

but that is not to be taken as implying that regard may not be had to the interests of other descriptions of consumer.

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(4) The Secretary of State and the Authority may, in carrying out any function under this Part, have regard to—

- (a) the interests of consumers in relation to electricity conveyed by distribution systems [^{F17}or transmission systems] (within the meaning of the ^{M1}Electricity Act 1989); and
- (b) any interests of consumers in relation to—
 - ^{F18}(i) communications services and electronic communications apparatus, or
 - (ii) water services or sewerage services (within the meaning of the ^{M2}Water Industry Act 1991),

which are affected by the carrying out of that function.

(5) Subject to [^{F19}subsections (1B) and] (2) [^{F20}and to section 132(2) of the Energy Act 2013 (duty to carry out functions in manner best calculated to further delivery of policy outcomes)], the Secretary of State and the Authority shall carry out their respective functions under this Part in the manner which he or it considers is best calculated—

- (a) to promote efficiency and economy on the part of persons authorised by licences or exemptions to carry on any activity, and the efficient use of gas conveyed through pipes;
- (b) to protect the public from dangers arising from the conveyance of gas through pipes or from the use of gas conveyed through pipes [^{F21}or the provision of a smart meter communication service];

^{F22}(ba)

- (c) to secure a diverse and viable long-term energy supply, [^{F23}and ^{F24}... shall] have regard, in carrying out those functions, to the effect on the environment of activities connected with the conveyance of gas through pipes [^{F25}or the provision of a smart meter communication service].

[In carrying out their respective functions under this Part in accordance with the ^{F26}(5A) preceding provisions of this section the Secretary of State and the Authority must each have regard to—

- (a) the principles under which regulatory activities should be transparent, accountable, proportionate, consistent and targeted only at cases in which action is needed; and
- (b) any other principles appearing to him or, as the case may be, it to represent the best regulatory practice.]

[In subsection (1A)—

^{F27}(5B) [^{F28}“the designated regulatory objectives” means the objectives set out in Article 40(c) to (h) of the Gas Directive but read with the following modifications—

- (a) in Article 40(c), for the words from “between” to the end substitute “, including enabling the development of appropriate cross-border transmission capacities to meet demand;”,
- (b) in Article 40(d), omit “, in line with general energy policy objectives;”,
- (c) in Article 40(f), omit “and foster market integration”, and
- (d) in Article 40(g), for “their national market” substitute “ the energy market in Great Britain ”;]

“emissions” has the same meaning as in the Climate Change Act 2008 (see section 97 of that Act);

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“gas-supply emissions” in relation to emissions of a targeted greenhouse gas, means any such emissions (wherever their source) that are wholly or partly attributable to, or to commercial activities connected with, the shipping, transportation or supply of gas conveyed through pipes;

“targeted greenhouse gases” has the same meaning as in Part 1 of the Climate Change Act 2008 (see section 24 of that Act).]

- (6) In [F29 subsections [F30(1C),] (3) and (4) references to consumers include] both existing and future consumers.
- (7) In this section and sections 4AB and 4A, references to functions of the Secretary of State or the Authority under this Part include a reference to functions under the Utilities Act 2000 which relate to gas conveyed through pipes.
- (8) In this Part, unless the context otherwise requires,—
- “exemption” means an exemption granted under section 6A;
- “licence” means a licence under section 7 [F31, 7ZA][F32, 7A or 7AB] and “licence holder” shall be construed accordingly.]

Textual Amendments

- F4** S. 4AA substituted (20.12.2000) for s. 4 by 2000 c. 27, s. 9; S.I. 2000/3343, art. 2, Sch. (subject to transitional provisions in arts. 3-15)
- F5** Words in s. 4AA(1) inserted (26.1.2009) by Energy Act 2008 (c. 32), ss. 83(1)(a), 110(2); S.I. 2009/45, art. 2(d)(i)
- F6** Words in s. 4AA(1) omitted (8.6.2010) by virtue of Energy Act 2010 (c. 27), ss. 16(2), 38(3)
- F7** Ss. 4AA(1A)-(1C) inserted (8.6.2010) by Energy Act 2010 (c. 27), ss. 16(3), 38(3)
- F8** Word in s. 4AA(1A) omitted (10.11.2011) by virtue of The Electricity and Gas (Internal Markets) Regulations 2011 (S.I. 2011/2704), regs. 1(1), 26(1)(a)
- F9** S. 4AA(1A)(c) and word inserted (10.11.2011) by The Electricity and Gas (Internal Markets) Regulations 2011 (S.I. 2011/2704), regs. 1(1), 26(1)(b)
- F10** Words in s. 4AA(1A)(c) substituted (31.12.2020) by The Electricity and Gas etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/530), regs. 1(1), 8(2)(a); 2020 c. 1, Sch. 5 para. 1(1)
- F11** Words in s. 4AA(1A)(c) substituted (31.12.2020) by The Electricity and Gas etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/530), regs. 1(1), 8(2)(b); 2020 c. 1, Sch. 5 para. 1(1)
- F12** Words in s. 4AA(2) substituted (8.6.2010) by Energy Act 2010 (c. 27), ss. 16(4)(a), 38(3)
- F13** Words in s. 4AA(2)(b) substituted (26.11.2008) by Energy Act 2008 (c. 32), ss. 102(3), 110(2)
- F14** Words in s. 4AA(2)(b) substituted (8.6.2010) by Energy Act 2010 (c. 27), ss. 16(4)(b), 38(3)
- F15** S. 4AA(2)(c) and preceding word inserted (26.1.2009) by Energy Act 2008 (c. 32), ss. 83(1)(b), 110(2); S.I. 2009/45, art. 2(d)(i)
- F16** Words in s. 4AA(3) substituted (8.6.2010) by Energy Act 2010 (c. 27), ss. 16(5), 38(3)
- F17** Words in s. 4AA(4)(a) inserted (1.4.2006 for specified purposes, 1.4.2010 in so far as not already in force) by Energy Act 2004 (c. 20), ss. 179(2)(3)(d), 198(2); S.I. 2005/2965, art. 3
- F18** S. 4AA(4)(b)(i) substituted (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by Communications Act 2003 (c. 21), s. 411(2), Sch. 17 para. 81 (with Sch. 18); S.I. 2003/1900, arts. 1(2), 2(1), Sch. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)
- F19** Words in s. 4AA(5) substituted (8.6.2010) by Energy Act 2010 (c. 27), ss. 16(6)(a), 38(3)
- F20** Words in s. 4AA(5) inserted (18.2.2014) by Energy Act 2013 (c. 32), ss. 138(2), 156(2)
- F21** Words in s. 4AA(5)(b) inserted (19.9.2012) by The Electricity and Gas (Smart Meters Licensable Activity) Order 2012 (S.I. 2012/2400), arts. 1, 18(2)(a)
- F22** S. 4AA(5)(ba) repealed (26.1.2009) by Energy Act 2008 (c. 32), ss. 83(1)(c), 110(2), Sch. 6; S.I. 2009/45, art. 2(d)(aa)(e)(vi)(i)

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- F23** Words in s. 4AA(5) substituted (5.10.2004) by Energy Act 2004 (c. 20), **ss. 83(b)**, 198(2); S.I. 2004/2575, art. 2(1), Sch. 1
- F24** Words in s. 4AA(5) omitted (8.6.2010) by virtue of Energy Act 2010 (c. 27), **ss. 16(6)(b)**, 38(3)
- F25** Words in s. 4AA(5) inserted (19.9.2012) by The Electricity and Gas (Smart Meters Licensable Activity) Order 2012 (S.I. 2012/2400), arts. 1, **18(2)(b)**
- F26** S. 4AA(5A) inserted (5.10.2004) by Energy Act 2004 (c. 20), **ss. 178**, 198(2); S.I. 2004/2575, art. 2(1), Sch. 1
- F27** S. 4AA(5B) inserted (8.6.2010) by Energy Act 2010 (c. 27), **ss. 16(7)**, 38(3)
- F28** Words in s. 4AA(5B) inserted (31.12.2020) by The Electricity and Gas etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/530), regs. 1(1), **8(3)**; 2020 c. 1, Sch. 5 para. 1(1)
- F29** Words in s. 4AA(6) substituted (26.1.2009) by Energy Act 2008 (c. 32), **ss. 83(1)(d)**, 110(2); S.I. 2009/45, art. 2(d)(i)
- F30** Word in s. 4AA(6) inserted (8.6.2010) by Energy Act 2010 (c. 27), **ss. 16(8)**, 38(3)
- F31** Words in s. 4AA(8) inserted (1.12.2004) by Energy Act 2004 (c. 20), **ss. 149(8)(a)**, 198(2); S.I. 2004/2575, art. 2(2), Sch. 2
- F32** Words in s. 4AA(8) substituted (19.9.2012) by The Electricity and Gas (Smart Meters Licensable Activity) Order 2012 (S.I. 2012/2400), arts. 1, **18(3)**

Modifications etc. (not altering text)

- C1** S. 4AA extended by 2000 c. 27, **s. 5A(11)**, (as inserted (30.12.2003) by Sustainable Energy Act 2003 (c. 30), **ss. 6**, 9(8))
- C2** Ss. 4AA-4B applied (24.8.2004 for specified purposes, 5.10.2004 in so far as not already in force) by Energy Act 2004 (c. 20), **ss. 190(1)**, 198(2); S.I. 2004/2184, art. 2(1), Sch. 1; S.I. 2004/2575, art. 2(1), Sch. 1
- C3** Ss. 4AA-4B applied (26.11.2008) by Energy Act 2008 (c. 32), **ss. 102(1)**, 110(2)
- C4** Ss. 4AA-4A excluded (26.1.2009) (with application in accordance with s. 90 of the amending Act) by Counter-Terrorism Act 2008 (c. 28), **ss. 89(3)**, 100(3) (with s. 101(2))
- C5** Ss. 4AA-4B applied (8.4.2010) by Energy Act 2010 (c. 27), **ss. 30(1)**, 38(1)
- C6** Ss. 4AA-4B applied (18.12.2011) by Energy Act 2011 (c. 16), **ss. 98(13)**, 121(3)
- C7** Ss. 4AA-4B applied (18.12.2011) by Energy Act 2011 (c. 16), **ss. 78(1)**, 121(3)
- C8** Ss. 4AA-4B applied (21.3.2012) by Energy Act 2011 (c. 16), **ss. 22(9)**, 121(1); S.I. 2012/873, art. 2(a)(v)
- C9** Ss. 4AA-4B applied (18.2.2014) by Energy Act 2013 (c. 32), **ss. 136(1)**, 156(2)
- C10** Ss. 4AA-4B applied (18.2.2014) by Energy Act 2013 (c. 32), **ss. 141(1)**, 156(2)
- C11** Ss. 4AA-4B applied (23.7.2018) by Smart Meters Act 2018 (c. 14), **ss. 6(12)**, 14(5)
- C12** S. 4AA(2)(b) amended (*temp.* from 19.12.2000) by S.I. 2000/3343, **art. 5** (subject to transitional provisions in arts. 3-15)

Marginal Citations

- M1** 1989 c. 29.
M2 1991 c. 56.

[^{F33}4AB Guidance on social and environmental matters.

- (1) The Secretary of State shall from time to time issue guidance about the making by the Authority of a contribution towards the attainment of any social or environmental policies set out or referred to in the guidance.
- (2) The Authority shall, in carrying out its functions under this Part, have regard to any guidance issued under this section.
- (3) Before issuing guidance under this section the Secretary of State shall consult—

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- (a) the Authority;
 - [^{F34}(b) Citizens Advice;
 - (ba) Citizens Advice Scotland;]
 - (c) licence holders; and
 - (d) such other persons as the Secretary of State considers it appropriate to consult in relation to the guidance.
- (4) A draft of any guidance proposed to be issued under this section shall be laid before each House of Parliament.
- (5) Guidance shall not be issued under this section until after the period of forty days beginning with—
- (a) the day on which the draft is laid before each House of Parliament; or
 - (b) if the draft is laid before the House of Lords on one day and the House of Commons on another, the later of those two days.
- (6) If, before the end of that period, either House resolves that the guidance should not be issued, the Secretary of State must not issue it.
- (7) In reckoning any period of forty days for the purposes of subsection (5) or (6), no account shall be taken of any time during which—
- (a) Parliament is dissolved or prorogued; or
 - (b) both Houses are adjourned for more than four days.
- (8) The Secretary of State shall arrange for any guidance issued under this section to be published in such manner as he considers appropriate.]

Textual Amendments

- F33** S. 4AB inserted (20.12.2000) by 2000 c. 27, s. 10; S.I. 2000/3343, art. 2, Sch. (subject to transitional provisions in arts. 3-15)
- F34** S. 4AB(3)(b)(ba) substituted for s. 4AB(3)(b) (1.4.2014) by [The Public Bodies \(Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc\) Order 2014 \(S.I. 2014/631\)](#), art. 1(3), Sch. 1 para. 4(2) (with Sch. 1 para. 28, Sch. 2 paras. 13-15)

Modifications etc. (not altering text)

- C2** Ss. 4AA-4B applied (24.8.2004 for specified purposes, 5.10.2004 in so far as not already in force) by [Energy Act 2004 \(c. 20\)](#), ss. 190(1), 198(2); S.I. 2004/2184, art. 2(1), Sch. 1; S.I. 2004/2575, art. 2(1), Sch. 1
- C3** Ss. 4AA-4B applied (26.11.2008) by [Energy Act 2008 \(c. 32\)](#), ss. 102(1), 110(2)
- C4** Ss. 4AA-4A excluded (26.1.2009) (with application in accordance with s. 90 of the amending Act) by [Counter-Terrorism Act 2008 \(c. 28\)](#), ss. 89(3), 100(3) (with s. 101(2))
- C5** Ss. 4AA-4B applied (8.4.2010) by [Energy Act 2010 \(c. 27\)](#), ss. 30(1), 38(1)
- C6** Ss. 4AA-4B applied (18.12.2011) by [Energy Act 2011 \(c. 16\)](#), ss. 98(13), 121(3)
- C7** Ss. 4AA-4B applied (18.12.2011) by [Energy Act 2011 \(c. 16\)](#), ss. 78(1), 121(3)
- C8** Ss. 4AA-4B applied (21.3.2012) by [Energy Act 2011 \(c. 16\)](#), ss. 22(9), 121(1); S.I. 2012/873, art. 2(a) (v)
- C9** Ss. 4AA-4B applied (18.2.2014) by [Energy Act 2013 \(c. 32\)](#), ss. 136(1), 156(2)
- C10** Ss. 4AA-4B applied (18.2.2014) by [Energy Act 2013 \(c. 32\)](#), ss. 141(1), 156(2)
- C11** Ss. 4AA-4B applied (23.7.2018) by [Smart Meters Act 2018 \(c. 14\)](#), ss. 6(12), 14(5)

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C13 S. 4AB extended by 2000 c. 27, s. 5A(11) (as inserted (30.12.2003) by Sustainable Energy Act 2003 (c. 30), ss. 6, 9(8))

^{F35}4A Health and safety.

- (1) The Secretary of State and the Authority shall consult [^{F36}the Health and Safety Executive] about all gas safety issues which may be relevant to the carrying out of any of their respective functions under this Part.
- (2) The Secretary of State and the Authority shall, in carrying out their respective functions under this Part, take into account any advice given by [^{F36}the Health and Safety Executive] about any gas safety issue (whether or not in response to consultation under subsection (1)).
- (3) For the purposes of this section a gas safety issue is anything concerning the conveyance of gas through pipes, or the use of gas conveyed through pipes, which may affect the health and safety of—
 - (a) members of the public; or
 - (b) persons employed in connection with the conveyance of gas through pipes or the supply of gas conveyed through pipes.]

Textual Amendments

- F35** S. 4A substituted (20.12.2000) by 2000 c. 27, s. 11; S.I. 2000/3343, art. 2, Sch.(subject to transitional provisions in arts. 3-15)
- F36** Words in s. 4A(1)(2) substituted (1.4.2008) by The Legislative Reform (Health and Safety Executive) Order 2008 (S.I. 2008/960), art. 1, Sch. 3 (with art. 21, Sch. 2)

Modifications etc. (not altering text)

- C2** Ss. 4AA-4B applied (24.8.2004 for specified purposes, 5.10.2004 in so far as not already in force) by Energy Act 2004 (c. 20), ss. 190(1), 198(2); S.I. 2004/2184, art. 2(1), Sch. 1; S.I. 2004/2575, art. 2(1), Sch. 1
- C3** Ss. 4AA-4B applied (26.11.2008) by Energy Act 2008 (c. 32), ss. 102(1), 110(2)
- C4** Ss. 4AA-4A excluded (26.1.2009) (with application in accordance with s. 90 of the amending Act) by Counter-Terrorism Act 2008 (c. 28), ss. 89(3), 100(3) (with s. 101(2))
- C5** Ss. 4AA-4B applied (8.4.2010) by Energy Act 2010 (c. 27), ss. 30(1), 38(1)
- C6** Ss. 4AA-4B applied (18.12.2011) by Energy Act 2011 (c. 16), ss. 98(13), 121(3)
- C7** Ss. 4AA-4B applied (18.12.2011) by Energy Act 2011 (c. 16), ss. 78(1), 121(3)
- C8** Ss. 4AA-4B applied (21.3.2012) by Energy Act 2011 (c. 16), ss. 22(9), 121(1); S.I. 2012/873, art. 2(a)(v)
- C9** Ss. 4AA-4B applied (18.2.2014) by Energy Act 2013 (c. 32), ss. 136(1), 156(2)
- C10** Ss. 4AA-4B applied (18.2.2014) by Energy Act 2013 (c. 32), ss. 141(1), 156(2)
- C11** Ss. 4AA-4B applied (23.7.2018) by Smart Meters Act 2018 (c. 14), ss. 6(12), 14(5)
- C14** S. 4A extended by 2000 c. 27, s. 5A(11) (as inserted (30.12.2003) by Sustainable Energy Act 2003 (c. 30), ss. 6, 9(8))

^{F37}4B Exceptions from sections 4AA to 4A.

- (1) Section 4AA does not apply in relation to the issuing by the Secretary of State of guidance under section 4AB.
- (2) Sections 4AA to 4A do not apply in relation to anything done by the Authority—

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- (a) in the exercise of functions relating to the determination of disputes; or
 - (b) in the exercise of functions under section 36A(3).
- (3) The Authority may nevertheless, when exercising any function under section 36A(3), have regard to any matter in respect of which a duty is imposed by sections 4AA to 4A if it is a matter to which [^{F38}the CMA] could have regard when exercising that function.
- (4) The duties imposed by sections 4AA to 4A do not affect the obligation of the Authority or the Secretary of State to perform or comply with any other duty or requirement (whether arising under this Act or another enactment, by virtue of any [^{F39}retained][^{F40}EU] obligation or otherwise).]

Textual Amendments

- F37** S. 4B inserted (20.12.2000) by 2000 c. 27, s. 12; S.I. 2000/3343, art. 2, Sch. (subject to transitional provisions in arts. 3-15)
- F38** Words in s. 4B(3) substituted (1.4.2014) by The Enterprise and Regulatory Reform Act 2013 (Competition) (Consequential, Transitional and Saving Provisions) Order 2014 (S.I. 2014/892), art. 1(1), Sch. 1 para. 45 (with art. 3)
- F39** Word in s. 4B(4) inserted (31.12.2020) by The Electricity and Gas etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/530), regs. 1(1), 9; 2020 c. 1, Sch. 5 para. 1(1)
- F40** Word in Act substituted (22.4.2011) by The Treaty of Lisbon (Changes in Terminology) Order 2011 (S.I. 2011/1043), arts. 2, 3, 6 (with art. 3(2)(3), 4(2), 6(4)(5))

Modifications etc. (not altering text)

- C2** Ss. 4AA-4B applied (24.8.2004 for specified purposes, 5.10.2004 in so far as not already in force) by Energy Act 2004 (c. 20), ss. 190(1), 198(2); S.I. 2004/2184, art. 2(1), Sch. 1; S.I. 2004/2575, art. 2(1), Sch. 1
- C3** Ss. 4AA-4B applied (26.11.2008) by Energy Act 2008 (c. 32), ss. 102(1), 110(2)
- C5** Ss. 4AA-4B applied (8.4.2010) by Energy Act 2010 (c. 27), ss. 30(1), 38(1)
- C6** Ss. 4AA-4B applied (18.12.2011) by Energy Act 2011 (c. 16), ss. 98(13), 121(3)
- C7** Ss. 4AA-4B applied (18.12.2011) by Energy Act 2011 (c. 16), ss. 78(1), 121(3)
- C8** Ss. 4AA-4B applied (21.3.2012) by Energy Act 2011 (c. 16), ss. 22(9), 121(1); S.I. 2012/873, art. 2(a) (v)
- C9** Ss. 4AA-4B applied (18.2.2014) by Energy Act 2013 (c. 32), ss. 136(1), 156(2)
- C10** Ss. 4AA-4B applied (18.2.2014) by Energy Act 2013 (c. 32), ss. 141(1), 156(2)
- C11** Ss. 4AA-4B applied (23.7.2018) by Smart Meters Act 2018 (c. 14), ss. 6(12), 14(5)
- C15** S. 4B(3) excluded (20.12.2000) by S.I. 2000/3343, art. 10(1)(b) (subject to transitional provisions in arts. 3-15)

[^{F41}4C] Binding decisions of the Agency for the Cooperation of Energy Regulators and of the European Commission

[The Authority must carry out its functions under this Part in the manner that it [^{F42}(1)] considers is best calculated to implement, or to ensure compliance with, any binding decision of the Agency or the European Commission made under the Gas Directive, the Gas Regulation or the Agency Regulation [^{F43}(or the predecessor of the Agency Regulation)] in relation to gas.]

[^{F44}(2) For the purposes of subsection (1), a binding decision does not include a decision that is not, or so much of a decision as is not, retained EU law.]

Status: Point in time view as at 31/12/2020.

Changes to legislation: Gas Act 1986, Cross Heading: Introductory is up to date with all changes known to be in force on or before 20 June 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)

Textual Amendments

- F41** S. 4C inserted (10.11.2011) by [The Electricity and Gas \(Internal Markets\) Regulations 2011 \(S.I. 2011/2704\)](#), regs. 1(1), **32**
- F42** S. 4C renumbered as s. 4C(1) (31.12.2020) by [The Electricity and Gas etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/530\)](#), regs. 1(1), **10(2)**; 2020 c. 1, Sch. 5 para. 1(1)
- F43** Words in s. 4C inserted (25.2.2020) by [The Electricity and Gas \(Internal Markets\) Regulations 2020 \(S.I. 2020/96\)](#), regs. 1, **2(2)**
- F44** S. 4C(2) inserted (31.12.2020) by [The Electricity and Gas etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/530\)](#), regs. 1(1), **10(3)**; 2020 c. 1, Sch. 5 para. 1(1)

[^{F45}4D Authority to consult and cooperate with other authorities

- (1) When carrying out its [^{F46}designated regulatory functions], the Authority must, wherever it thinks fit—
 - (a) consult and cooperate with the [^{F47}Northern Ireland Authority];
 - (b) provide the [^{F48}Northern Ireland Authority] with information [^{F49}it] may require in order to carry out [^{F50}its designated regulatory functions]; ^{F51}...
 - (c) consult relevant national authorities;
 - ^{F52}(d)
- (2) In exercising functions in accordance with subsection (1), the Authority must, wherever it thinks fit, cooperate with the [^{F53}Northern Ireland Authority] with a view ^{F54}... to—
 - ^{F55}(a)
 - (b) the promotion and facilitation of cooperation between transmission system operators;
 - (c) the optimal management of gas networks;
 - (d) the promotion of jointly managed [^{F56}trade in gas between Great Britain and Northern Ireland] and the allocation of [^{F57}capacity between Great Britain and Northern Ireland];
 - (e) ensuring an adequate level of interconnection capacity;
 - ^{F58}(f) and
 - (g) the coordination of the regulation of gas markets, including rules concerning the management of congestion of gas networks.
- (3) In this section—
 - ^{F59}...
 - ^{F60}...“relevant national authority” means any of the following—
 - (a) ^{F61}...
 - (b) the Office of Communications;
 - (c) [^{F62}the CMA];
 - (d) the Water Services Regulation [^{F63}Authority.]
^{F64}...

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Textual Amendments

- F45** S. 4D inserted (10.11.2011) by [The Electricity and Gas \(Internal Markets\) Regulations 2011 \(S.I. 2011/2704\)](#), regs. 1(1), **34**
- F46** Words in s. 4D(1) substituted (31.12.2020) by [The Electricity and Gas etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/530\)](#), regs. 1(1), **11(2)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F47** Words in s. 4D(1)(a) substituted (31.12.2020) by [The Electricity and Gas etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/530\)](#), regs. 1(1), **11(2)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F48** Words in s. 4D(1)(b) substituted (31.12.2020) by [The Electricity and Gas etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/530\)](#), regs. 1(1), **11(2)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F49** Word in s. 4D(1)(b) substituted (31.12.2020) by [The Electricity and Gas etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/530\)](#), regs. 1(1), **11(2)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F50** Words in s. 4D(1)(b) substituted (31.12.2020) by [The Electricity and Gas etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/530\)](#), regs. 1(1), **11(2)(c)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F51** Word in s. 4D(1)(b) omitted (14.7.2020) by virtue of [The Gas \(Internal Markets\) Regulations 2020 \(S.I. 2020/625\)](#), regs. 1(2), **2(2)(a)**
- F52** S. 4D(1)(d) repealed (31.12.2020 immediately before IP completion day) by [The Gas \(Internal Markets\) Regulations 2020 \(S.I. 2020/625\)](#), regs. 1(2), **10(2)**
- F53** Words in s. 4D(2) substituted (31.12.2020) by [The Electricity and Gas etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/530\)](#), regs. 1(1), **11(3)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F54** Words in s. 4D(2) omitted (31.12.2020) by virtue of [The Electricity and Gas etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/530\)](#), regs. 1(1), **11(3)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F55** S. 4D(2)(a) omitted (31.12.2020) by virtue of [The Electricity and Gas etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/530\)](#), regs. 1(1), **11(3)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F56** Words in s. 4D(2)(d) substituted (31.12.2020) by [The Electricity and Gas etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/530\)](#), regs. 1(1), **11(3)(d)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F57** Words in s. 4D(2)(d) substituted (31.12.2020) by [The Electricity and Gas etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/530\)](#), regs. 1(1), **11(3)(d)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F58** S. 4D(2)(f) omitted (31.12.2020) by virtue of [The Electricity and Gas etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/530\)](#), regs. 1(1), **11(3)(e)**; 2020 c. 1, Sch. 5 para. 1(1)
- F59** Words in s. 4D(3) omitted (31.12.2020) by virtue of [The Electricity and Gas etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/530\)](#), regs. 1(1), **11(4)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F60** Words in s. 4D(3) omitted (31.12.2020) by virtue of [The Electricity and Gas etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/530\)](#), regs. 1(1), **11(4)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F61** Words in s. 4D(3) omitted (1.4.2014) by virtue of [The Enterprise and Regulatory Reform Act 2013 \(Competition\) \(Consequential, Transitional and Saving Provisions\) Order 2014 \(S.I. 2014/892\)](#), art. 1(1), **Sch. 1 para. 46(a)** (with art. 3)
- F62** Words in s. 4D(3) substituted (1.4.2014) by [The Enterprise and Regulatory Reform Act 2013 \(Competition\) \(Consequential, Transitional and Saving Provisions\) Order 2014 \(S.I. 2014/892\)](#), art. 1(1), **Sch. 1 para. 46(b)** (with art. 3)
- F63** Word in s. 4D(3) substituted (31.12.2020 immediately before IP completion day) by [The Gas \(Internal Markets\) Regulations 2020 \(S.I. 2020/625\)](#), regs. 1(2), **10(3)(b)**
- F64** Words in s. 4D(3) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Gas \(Internal Markets\) Regulations 2020 \(S.I. 2020/625\)](#), regs. 1(2), **10(3)(c)**

F65 4E Duty to notify etc. the European Commission: agreements with third countries

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Status: Point in time view as at 31/12/2020.

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Textual Amendments

- F65** S. 4E repealed (31.12.2020 immediately before IP completion day) by [The Gas \(Internal Markets\) Regulations 2020 \(S.I. 2020/625\)](#), regs. 1(2), **10(4)**

Status:

Point in time view as at 31/12/2020.

Changes to legislation:

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