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**Changes to legislation:** Gas Act 1986, Paragraph 5 is up to date with all changes known to be in force on or before 05 April 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

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## SCHEDULES

### [<sup>F1</sup>SCHEDULE 2A

#### EXCEPTIONS TO PROHIBITION ON UNLICENSED ACTIVITIES

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##### Textual Amendments

**F1** Sch. 2A inserted (1.3.1996) by 1995 c. 45, s. 3(2), **Sch. 1**; S.I. 1996/218, **art. 2**

##### *Supply to very large consumers*

- 5 (1) Sub-paragraph (2) below applies where a person (in this paragraph referred to as a “supplier”) notifies the Director—
- (a) that he proposes to undertake a supply of gas to any premises at a rate in excess of 2,000,000 therms a year (in this paragraph referred to as “the required rate”); or
  - (b) that, in such circumstances as may be described in the notification, he would undertake a supply of gas to any premises, at a rate in excess of the required rate, for such period as may be so described.
- (2) Section 5(1) of this Act is not contravened by a supply of gas to the premises (or, as the case may require, a supply of gas to the premises in the circumstances and for the period described in the notification) unless, within six weeks of receiving the notification, the Director notifies the supplier either—
- (a) that he is of the opinion that the rate of supply to those premises would be unlikely to exceed the required rate; or
  - (b) that he is unable to form an opinion as to whether the rate of supply to those premises would or would not be likely to exceed the required rate.
- (3) Where a supplier has given the Director a notification under sub-paragraph (1)(a) above and—
- (a) the rate of supply to the premises to which the notification relates fails to exceed the required rate for three successive periods of twelve months;
  - (b) the supplier fails to furnish the Director with such information as he may require for the purpose of determining whether the condition in paragraph (a) above is fulfilled; or
  - (c) the supplier fails to afford to the Director such facilities as he may require for the purpose of verifying any information furnished in pursuance of such a requirement as is mentioned in paragraph (b) above,
- the Director may direct that the supplier’s notification shall be treated as invalid for the purposes of that sub-paragraph except as regards gas previously supplied.
- (4) As soon as practicable after receiving a notification under sub-paragraph (1) above, giving a notification under sub-paragraph (2) above or giving a direction under sub-

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paragraph (3) above, the Director shall send a copy of the notification or direction to the Health and Safety Executive.]

**Modifications etc. (not altering text)**

- C1** Sch. 2A para. 5(1) extended (8.11.1995 with effect as mentioned by [Sch. 5 Pt. II para. 14\(1\)](#) of the amending Act) by [1995 c. 45, s. 17\(1\)](#), [Sch. 5 Pt. II para. 14\(2\)](#); S.I. 1996/218, [art. 2](#)

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

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

- s. 5(e) and word inserted by [2023 c. 52 s. 185\(3\)](#)
- s. 5(1)(ca) inserted by [2023 c. 52 s. 168\(2\)\(b\)](#)
- s. 5(10A) inserted by [2023 c. 52 s. 168\(2\)\(c\)](#)
- s. 5(11A)(11B) inserted by [2023 c. 52 s. 185\(4\)](#)
- s. 7B(5FA) inserted by [2023 c. 52 s. 185\(13\)](#)
- s. 7AC inserted by [2023 c. 52 s. 185\(6\)](#)
- s. 8AA(11B) inserted by [2023 c. 52 s. 185\(14\)](#)
- s. 15A inserted by [1992 c. 43 s. 17](#)
- s. 23D(2)(d) and word inserted by [2013 c. 32 s. 138\(4\)\(c\)\(iii\)](#)
- s. 27(1ZA)(aa) inserted by S.I. 2019/93, Sch. 1 para. 2(2)(b) (as substituted) by [S.I. 2019/1245 reg. 17](#) (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.)
- s. 28(8A) inserted by [2023 c. 52 Sch. 14 para. 3\(3\)](#)
- s. 41E(6)(d) and word inserted by [2013 c. 32 s. 138\(4\)\(f\)\(ii\)](#)
- Sch. 4B para. 9B and cross-heading inserted by [2023 c. 52 Sch. 14 para. 4](#)