
Changes to legislation: Gas Act 1995, Cross Heading: *Calorific values: tests of apparatus etc.* is up to date with all changes known to be in force on or before 18 September 2023. 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

SCHEDULES

SCHEDULE 3

OTHER AMENDMENTS OF PART I OF 1986 ACT

Calorific values: tests of apparatus etc.

7 For section 13 of the 1986 Act there shall be substituted the following section—

“13 Calorific values: tests of apparatus etc.

- (1) The Director shall appoint competent and impartial persons—
 - (a) to carry out tests of apparatus and equipment provided and maintained by public gas transporters in pursuance of regulations made by virtue of subsection (4)(d) of section 12 above for the purpose of ascertaining whether they comply with the regulations;
 - (b) to carry out tests of gas conveyed by public gas transporters where the number of therms or kilowatt hours falls to be calculated in accordance with subsection (1)(b) of that section for the purpose of ascertaining whether the transporters are complying with the requirements of regulations made by virtue of subsection (5)(c) of that section; and
 - (c) generally to assist the Director in exercising his functions under, or under regulations made under, this section or that section.
- (2) Regulations under this section, which shall be made by the Director with the consent of the Secretary of State, may make provision—
 - (a) for requiring such tests as are mentioned in subsection (1)(b) above to be carried out at such places or premises as the Director may direct;
 - (b) for requiring such premises, apparatus and equipment as the Director may direct to be provided and maintained by public gas transporters for the purpose of carrying out such tests;
 - (c) for requiring samples of gas to be taken by public gas transporters at such places or premises, at such times and in such manner as the Director may direct; and
 - (d) for requiring samples of gas so taken to be provided by public gas transporters, for the purpose of carrying out such tests, at such places or premises, at such times and in such manner as the Director may direct.
- (3) Regulations under this section may make provision—
 - (a) for persons representing the public gas transporter concerned to be present during the carrying out of such tests as are mentioned in subsection (1) above;

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- (b) as to the manner in which the results of such tests are to be made available to other licence holders and to the public; and
 - (c) for conferring powers of entry on property owned or occupied by public gas transporters for the purpose of carrying out such tests and otherwise for the purposes of this section or section 12 above.
- (4) There shall be paid out of money provided by Parliament to persons appointed under subsection (1) above who are members of the Director's staff such remuneration and such allowances as may be determined by the Director with the approval of the Treasury, and such pensions as may be so determined may be paid out of money provided by Parliament to or in respect of such persons.
- (5) Every person who is a public gas transporter during any period shall pay to the Director such proportion (if any) as the Director may determine of—
 - (a) any sums paid by him under subsection (4) above in respect of that period; and
 - (b) such part of his other expenses for that period as he may with the consent of the Treasury determine to be attributable to his functions under section 12 above or this section;and any liability under this subsection to pay to the Director sums on account of pensions (whether paid by him under subsection (4) above or otherwise) shall, if the Director so determines, be satisfied by way of contributions calculated, at such rate as may be determined by the Treasury, by reference to remuneration.
- (6) Any sums received by the Director under this section shall be paid into the Consolidated Fund.”

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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):

- Sch. 3 para. 42(1)(a)para. 42(2)(a) repealed by [2000 c. 27 Sch. 8](#)