

SCHEDULES

SCHEDULE 3

OTHER AMENDMENTS OF PART I OF 1986 ACT

Interpretation of Part I and savings

- 54 (1) In subsection (1) of section 48 of the 1986 Act (interpretation of Part I and savings)—
- (a) in the definition of “authorised area”, for the word “supplier” there shall be substituted the word “transporter”;
 - (b) in the definition of “distribution main”, for the word “supplier”, in each place where it occurs, there shall be substituted the word “transporter”;
 - (c) after that definition there shall be inserted the following definition—

““domestic customer” has the meaning given by section 15A(10) above;”;
 - (d) after the definition of “gas fittings” there shall be inserted the following definition—

““gas supplier” and “gas shipper” have the meanings given by section 7A(11) above;”;
 - (e) after the definition of “kilowatt hour” there shall be inserted the following definitions—

““licence” and “licence holder” have the meanings given by section 4(5) above;”;
 - (f) after the definition of “notice” there shall be inserted the following definitions—

““officer”, in relation to any person, includes any servant or agent of that person, and any officer or servant of such an agent;

“owner”, in relation to any premises or other property, includes a lessee, and cognate expressions shall be construed accordingly;”
 - (g) in the definition of “prescribed”, for the words “(except in section 33A above)” there shall be substituted the words “made, unless the context otherwise requires, by the Secretary of State”;
 - (h) for the definition of “public gas supplier” there shall be substituted the following definition—

““public gas transporter” has the meaning given by section 7(1) above;”;
 - (i) the definition of “regulations” shall cease to have effect;
 - (j) immediately before the definition of “subsidiary” there shall be inserted the following definitions—

Status: This is the original version (as it was originally enacted).

““service pipe” means a pipe, other than a distribution main of a public gas transporter, which is used for the purpose of conveying gas from such a main to any premises, and includes part of any such pipe;

“storage”, in relation to gas, means storage in, or in a facility which is connected (directly or indirectly) to, a pipe-line system operated by a public gas transporter;” and

(k) the definition of “tariff customer” shall cease to have effect.

(2) After subsection (1) of that section there shall be inserted the following subsection—

“(1A) In this Part any reference to an officer authorised by any person includes, in relation to an officer who is an officer or servant of an agent of that person, an officer who, in accordance with the terms of any written authority given by that person to the agent, is authorised by the agent on behalf of that person.”

(3) In subsection (2) of that section, for paragraphs (a) and (b) there shall be substituted the words “to the supply of gas (directly or indirectly) to a public gas transporter, gas supplier or gas shipper”.

(4) For subsection (3) of that section there shall be substituted the following subsections—

“(2A) In relation to any time after 31st December 1999—

- (a) references in this Part to 2,500, 75,000 and 2 million therms shall be construed as references to 73,200, 2,196,000 and 58 million kilowatt hours respectively; and
- (b) other references in this Part to therms, and references in this Part to therms or kilowatt hours, shall be construed as references to kilowatt hours.

(2B) A person is of pensionable age for the purposes of this Part if—

- (a) he has attained pensionable age (within the meaning given by the rules in paragraph 1 of Schedule 4 to the Pensions Act 1995); or
- (b) in the case of a man born before 6th April 1955, he is the same age as a woman who has attained pensionable age (within the meaning so given).

(3) Nothing in this Part relating to the modification of a licence shall authorise the inclusion in a licence of any condition other than one such as is mentioned in section 7B above or, in the case of a modification under section 27 above, as would be so mentioned if the references to the Director in subsection (4) (a), (b) and (d) of section 7B were references to the Secretary of State.”