
Changes to legislation: Gas Act 1995, Paragraph 6 is up to date with all changes known to be in force on or before 02 August 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

Methods of calculating therms

6 For section 12 of the 1986 Act there shall be substituted the following section—

“ Gas conveyed by public gas transporters

12 Methods of calculating therms.

(1) Except in prescribed cases, the number of therms or kilowatt hours conveyed by a public gas transporter to premises, or to pipe-line systems operated by other public gas transporters, shall be calculated in the prescribed manner—

- (a) on the basis of calorific values of the gas determined by the transporter in accordance with regulations under this section, or so determined by another public gas transporter and adopted by the transporter in accordance with such regulations; or
- (b) if and to the extent that regulations under this section so provide and the transporter thinks fit, on the basis of declared calorific values of the gas;

and regulations under this section shall be made by the Director with the consent of the Secretary of State.

(2) In this Part—

“calorific value”, in relation to any gas, means the number of megajoules (gross) which would be produced by—

- (a) the combustion of one cubic metre of the gas measured at a temperature of 15°C and a pressure of 1013.25 millibars; or
- (b) if regulations under this section so provide, the combustion of one kilogram of the gas,

containing in either case, if the Director so determines, such an amount of water vapour as is specified in the determination;

“declared calorific value”, in relation to any gas conveyed by a public gas transporter, means a calorific value declared by the transporter in accordance with regulations under this section, or so declared by another public gas transporter and adopted by the transporter in accordance with such regulations.

(3) Regulations under this section may make provision as to the manner in which prescribed information with respect to the making of calculations in accordance with the regulations is to be made available to other licence holders and to the public.

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- (4) Regulations under this section made for the purposes of subsection (1)(a) above may make provision—
- (a) for requiring determinations of calorific values of gas conveyed by public gas transporters to be made on the basis of samples of gas taken at such places or premises, at such times and in such manner as the Director may direct;
 - (b) for requiring such determinations to be made at such places or premises, at such times and in such manner as the Director may direct;
 - (c) as to the manner in which the results of such determinations are to be made available to other licence holders and to the public;
 - (d) 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 making such determinations;
 - (e) for requiring public gas transporters to carry out tests of apparatus and equipment so provided and maintained by them; and
 - (f) for requiring the results of such tests to be notified to the Director or to any person appointed under section 13(1) below, and to be made available to other licence holders and to the public.
- (5) Regulations under this section made for the purposes of subsection (1)(b) above may make provision—
- (a) for requiring declarations of calorific values of gas conveyed by public gas transporters to be made at such times and in such manner as the Director may direct;
 - (b) as to the times when such declarations are to take effect, and as to the manner in which the calorific values declared are to be made available to other licence holders and to the public;
 - (c) for imposing requirements on public gas transporters as to the correlation between—
 - (i) the calorific values of the gas conveyed by them for any period; and
 - (ii) the calorific values declared by them for that period;
 - (d) for requiring public gas transporters to carry out tests of gas for the purpose of ascertaining whether they are complying with the requirements of regulations made by virtue of paragraph (c) above;
 - (e) for requiring such tests to be carried out at such places or premises, at such times and in such manner as the Director may direct; and
 - (f) for requiring the results of such tests to be notified to the Director or to any person appointed under section 13(1) below, and to be made available to other licence holders and to the public.
- (6) Subject to subsection (7) below, the Director may by notice in writing require a public gas transporter to give to the Director, or to any person appointed by him for the purpose, within such time and at such place as may be specified in the notice, such information as the Director may reasonably require for the purpose of making regulations under this section or section 13 below or of giving directions under such regulations.
- (7) A public gas transporter shall not be required under subsection (6) above to give any information which he could not be compelled to give in evidence

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in civil proceedings before the court; and in this subsection “the court” means—

- (a) in relation to England and Wales, the High Court;
- (b) in relation to Scotland, the Court of Session.”

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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](#)