
Changes to legislation: Gas Act 1995, Cross Heading: Duty of Secretary of State to make licensing scheme is up to date with all changes known to be in force on or before 19 July 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 5

TRANSITIONAL PROVISIONS AND SAVINGS

PART I

PUBLIC GAS SUPPLIERS' AUTHORISATIONS

Duty of Secretary of State to make licensing scheme

- 4 (1) As soon as practicable after the date specified in the Secretary of State's direction under paragraph 2 above and in any event before the appointed day, the Secretary of State shall make a scheme providing for the public gas supplier's authorisation under section 7 of the 1986 Act to have effect as mentioned in paragraph 1(1) above.
- (2) In making a scheme under this paragraph, the Secretary of State shall have regard to the provisions of the scheme made under paragraph 2 above.
- (3) Subject to sub-paragraph (4) below, a scheme under this paragraph shall provide that each condition which by virtue of section 8(2) of this Act is a standard condition for the purposes of—
- (a) licences under section 7 of the 1986 Act;
 - (b) licences under subsection (1) of section 7A of that Act; or
 - (c) licences under subsection (2) of that section,
- shall be incorporated in the licence treated as granted under that section or, as the case may be, the licence treated as granted under that subsection.
- (4) Such a scheme may provide that each licence which is treated as so granted (including the terms and conditions which are derived from the authorisation and the standard conditions which are incorporated by virtue of sub-paragraph (3) above) shall have effect with—
- (a) such incidental, consequential and supplementary amendments as appear to the Secretary of State to be necessary or expedient;
 - (b) such amendments as the Secretary of State thinks fit for varying the period of notice required for the revocation of the licence in accordance with any term contained in it; and
 - (c) such other amendments (if any) as may be agreed between the Secretary of State and the public gas supplier;
- and such a scheme may also make such transitional provision as appears to the Secretary of State to be necessary or expedient.
- (5) As soon as practicable after making a scheme under this paragraph, the Secretary of State shall publish the text of each licence which by virtue of the scheme is treated as granted under section 7 or 7A(1) or (2) of the 1986 Act; and any text so published shall be treated as authoritative unless the contrary is shown.

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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](#)