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**Changes to legislation:** Gas Act 1995, Cross Heading: Applications for authorisation under section 7 is up to date with all changes known to be in force on or before 01 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

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## SCHEDULES

### SCHEDULE 5

#### TRANSITIONAL PROVISIONS AND SAVINGS

#### PART II

#### OTHER TRANSITIONAL PROVISIONS AND SAVINGS

##### *Applications for authorisation under section 7*

- 15 (1) This paragraph applies where—
- (a) an application has been made to the Secretary of State under section 7 of the 1986 Act (authorisation of public gas suppliers) by any person (“the applicant”); and
  - (b) the application is not determined before the appointed day.
- (2) Subject to the following provisions of this paragraph, the application shall have effect on and after the appointed day as if it were an application to [F<sup>1</sup>the Authority] (in such terms as may be specified by the applicant for the purposes of this sub-paragraph) for—
- (a) a licence under section 7 of the 1986 Act (licensing of public gas transporters) to be granted to one of the persons mentioned in sub-paragraph (3) below;
  - (b) a licence under subsection (1) of section 7A of that Act (licensing of gas suppliers) to be granted to the other of those persons; and
  - (c) a licence under subsection (2) of that section (licensing of gas shippers) to be granted to the person mentioned in paragraph (b) above.
- (3) The persons referred to in sub-paragraph (2) above are—
- (a) the applicant; and
  - (b) such one of his associates as may be nominated by him for the purposes of this sub-paragraph.
- (4) Sections 7, 7A and 7B of the 1986 Act shall apply in relation to the application, and any licence granted or proposed to be granted on the application, as if subsections (5) and (6) of section 7, and subsections (1) and (2) of section 7B, were omitted.
- (5) No licence shall be granted on the application except with the consent of the Secretary of State; and before giving his consent the Secretary of State shall consult—
- (a) the Health and Safety Executive; and
  - (b) any public gas transporter whose authorised area includes the whole or any part of the area to which the application relates.
- (6) For the purposes of this paragraph a company is an associate of the applicant if—

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- (a) the company is registered under the <sup>M1</sup>Companies Act 1985 and is limited by shares; and
  - (b) either the company is wholly owned by the applicant or the applicant is wholly owned by the company.
- (7) Any reference in this paragraph to a licence of any description includes a reference to an extension of such a licence.

**Textual Amendments**

**F1** Words substituted (20.12.2000) by virtue of [Utilities Act 2000 \(c. 27\)](#), [s. 3\(2\)](#); S.I. 2000/3343, [art. 2](#), [Sch.](#)

**Marginal Citations**

**M1** [1985 c. 6](#).

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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](#)