



# Petroleum Act 1998

## 1998 CHAPTER 17

### PART III

#### SUBMARINE PIPELINES

#### **<sup>F1</sup>17B Additional provisions relating to certain downstream gas pipelines.**

- (1) The owner of a downstream gas pipeline to which this section applies (a “relevant downstream gas pipeline”)—
  - (a) shall publish at least once in every year the main commercial conditions relating to the grant to another person of a right to have gas conveyed in the pipeline on that person’s behalf; and
  - (b) shall publish any changes to the published conditions as soon as they become effective.
- (2) In subsection (1) “year” means any year ending with 9th August.
- (3) The owner of a relevant downstream gas pipeline shall ensure that the conditions which he is required to publish under subsection (1) do not discriminate against any applicants or descriptions of applicants, or any potential applicants or descriptions of potential applicants, for a right to have gas conveyed in the pipeline.
- (4) Any person who seeks a right to have gas conveyed on his behalf in a relevant downstream gas pipeline (“the applicant”) shall, before making an application to the Secretary of State under section 17, apply to the owner of the pipeline by giving him notice of what is being sought.
- (5) Such a notice shall, in particular, specify—
  - (a) the kind of gas to be conveyed (which must be of the kind the pipeline is designed to convey); and
  - (b) the quantities of gas to be conveyed.
- (6) Where an applicant gives notice under subsection (4), he and the owner of the pipeline shall negotiate in good faith and endeavour to reach agreement on the application.

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*Status: Point in time view as at 10/08/2000. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Petroleum Act 1998, Section 17B. (See end of Document for details)*

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- (7) If the owner and the applicant do not reach any such agreement, the applicant may make an application to the Secretary of State under section 17 with respect to the pipeline.
- (8) The Secretary of State shall not entertain such an application under section 17 unless he is satisfied that the parties have had a reasonable time in which to fulfil their duties under subsection (6).
- (9) For the purpose of considering an application under section 17 with respect to a relevant downstream gas pipeline, the Secretary of State may by notice require the owner or the applicant to provide him with such financial information relating to the owner's or applicant's activities with respect to relevant downstream gas pipelines as he may specify or describe in the notice.
- (10) The Secretary of State shall not disclose to any person information obtained under subsection (9) without the consent of the person by or on behalf of whom it was provided, unless he is required to do so by virtue of any obligation imposed on him by or under any enactment.
- (11) In this section, "main commercial conditions" means—
- (a) such information as would enable a potential applicant for a right to have gas conveyed in a relevant downstream gas pipeline to make a reasonable assessment of the cost of, or the method of calculating the cost of, acquiring that right;
  - (b) the other significant terms on which such a right would be granted; and
  - (c) such other information as the Secretary of State may from time to time specify by notice.

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**Textual Amendments**

**F1** Ss. 17A-17H inserted (10.8.2000) by S.I. 2000/1937, reg. 2(4), **Sch. 4 para. 4**

**Status:**

Point in time view as at 10/08/2000. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Petroleum Act 1998, Section 17B.