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STATUTORY INSTRUMENTS

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**2011 No. 2704**

**The Electricity and Gas (Internal Markets) Regulations 2011**

**PART 5**

Distribution

**Independence of gas transporters authorised to convey gas to premises**

**18.**—(1) Section 7 of the Gas Act 1986 (licensing of gas transporters) <sup>M1</sup> is amended as follows.

(2) In subsection (2), for “subsection (3)” substitute “ subsections (3) and (3A) ”.

(3) After subsection (3) insert—

“(3A) A licence authorising the conveyance of gas through pipes to any premises must not be granted under this section to a person who is a gas producer unless it is a condition of the licence that the person must not convey gas through pipes to 100,000 or more sets of premises.”.

(4) In subsection (4), for “The” substitute “ Subject to subsection (3A), the ”.

(5) In subsection (10), before paragraph (a) insert—

“(za) “gas producer” means a person who—

- (i) gets natural gas from its natural condition in strata otherwise than as an unintended consequence of the storage of gas, and requires a licence under section 3 of the Petroleum Act 1998 (licences to search and bore for and get petroleum) to do so or would require such a licence if getting the gas in Great Britain; or
- (ii) produces any other gas, including in particular biomethane, which is suitable for conveyance through pipes to premises in accordance with a licence under section 7;”.

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**Marginal Citations**

**M1** Section 7 was amended by the [Gas Act 1995 \(c. 45\)](#), [section 5](#); and the Energy Act 2004, section 149(1) and (5). Other amendments have been made that are not relevant for these purposes.

**Independence of electricity distributors**

**19.** In section 6(2) of the Electricity Act 1989 (licences authorising supply, etc) <sup>M2</sup>, for “a supply licence” substitute—

- “(a) a generation licence; or
- (b) a supply licence.”.

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**Changes to legislation:** There are currently no known outstanding effects for the The Electricity and Gas (Internal Markets) Regulations 2011, PART 5. (See end of Document for details)

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**Marginal Citations**

**M2** 1989 c. 29. Section 6 was substituted for section 6 as originally enacted by the [Utilities Act 2000](#) (c. 27), [section 30](#). Other amendments have been made that are not relevant for these purposes.

**Changes to legislation:**

There are currently no known outstanding effects for the The Electricity and Gas (Internal Markets) Regulations 2011, PART 5.