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STATUTORY INSTRUMENTS

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**2011 No. 2704**

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

**PART 4**

Gas facilities

**General duties of storage facility owners, LNG import or export facility owners etc**

- 7.—(1) The Gas Act 1986 is amended as follows.  
(2) After section 11<sup>M1</sup> insert—

*“Duties of facility owners and prospective facility owners*

**11A General duties of facility owners**

- (1) This section applies to—  
(a) a storage facility;  
(b) an LNG import or export facility.  
(2) The owner of a facility to which this section applies must—  
(a) operate, maintain and develop the facility, so far as it is economical to do so, in a manner calculated to ensure that the facility is secure, reliable and efficient;  
(b) take any steps required by the Authority to ensure that the owner maintains sufficient financial resources to enable the owner to comply with the owner's obligations under this Act and under the Gas Regulation.

**11B Duty of current and prospective LNG import or export facility owners to provide information**

**11B** A person who is or expects to be the owner of an LNG import or export facility must provide the Authority with such information in such manner and at such times as the Authority may reasonably require to facilitate the performance of its functions under this Act.

**11C Restrictions on disclosure of information by facility owners**

- (1) The owner of a storage facility or LNG import or export facility must take all reasonable steps to ensure that commercially sensitive information relating to the operation of the facility is not disclosed—  
(a) to a person in a way that discriminates against any other person or description of persons;  
(b) to an associated undertaking unless the disclosure is necessary in order to enable a transaction with that associated undertaking to take place.

(2) Information which is obtained by the owner of a storage facility or LNG import or export facility from an associated undertaking for the purpose of, or in the course of, a transaction with that undertaking must not be used by the owner for any other purpose.”.

(3) Omit section 19DA (provision of information) <sup>M2</sup>.

(4) In section 19E (sections 19A to 19D: supplemental) <sup>M3</sup>, in subsection (1) for “19DA” substitute “ 19D ”.

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**Marginal Citations**

**M1** Amendments have been made to section 11 that are not relevant for these purposes.

**M2** [Section 19DA](#) was inserted by regulation 2(2) of, and paragraph 5 of Schedule 2 to, [S.I. 2004/2043](#).

**M3** [Section 19E](#) was inserted by regulation 2(2) of, and paragraph 1 of Schedule 2 to, [S.I. 2000/1937](#).

Subsection (1) was subsequently amended by regulation 2(2) of, and paragraph 6(1) of Schedule 2 to, [S.I. 2004/2043](#). 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, Section 7.