
STATUTORY INSTRUMENTS

1996 No. 252

GAS

**The Gas Act 1995 (Consequential Modifications
of Subordinate Legislation) Order 1996**

<i>Made</i>	- - - -	<i>7th February 1996</i>
<i>Laid before Parliament</i>		<i>8th February 1996</i>
<i>Coming into force</i>	- -	<i>1st March 1996</i>

The Secretary of State, in exercise of the powers conferred upon him by section 16(3) of the Gas Act 1995⁽¹⁾ and of all other powers enabling him in that behalf, hereby makes the following Order:—

1. This Order may be cited as the Gas Act 1995 (Consequential Modifications of Subordinate Legislation) Order 1996 and shall come into force on 1st March 1996.
2. The subordinate legislation specified in columns 1 and 2 of the Schedule hereto is hereby modified to the extent specified in column 3 of the Schedule.

Department of Trade and Industry
7th February 1996

Tim Eggar,
Minister for Industry and Energy,

SCHEDULE

Article 2

MODIFIED SUBORDINATE LEGISLATION

<i>Column 1</i> <i>Subordinate legislation</i> <i>modified</i>	<i>Column 2</i> <i>Number</i>	<i>Column 3</i> <i>Extent of modification</i>
The Civil Defence (Gas Undertakers) Regulations 1954.	(2)S.I.1954/269.	References to the successor company shall have effect as if there were substituted references to any person who is the holder of a licence granted under the Gas Act 1986.
The Gas (Underground Storage) (Inquiries Procedure) Rules 1966.	(2) S.I. 1966/1375.	References to the successor company shall have effect as if there were substituted references to any person who is a public gas transporter within Part I of the Gas Act 1986.
The Material Development Regulations 1967.	(2) S.I. 1967/494.	In paragraph 11 of Part I of the Schedule references to the successor company shall have effect as if there were substituted references to any person who is a public gas transporter within the meaning of Part I of the Gas Act 1986; in the definition of “gas undertaking”, for the words “means an undertaking for the supply of gas” there shall be substituted the words “means the undertaking of a public gas transporter”.
The Gas (Underground Storage) (Certificates) (England and Wales) Regulations 1967.	(2) S.I. 1967/1167.	References to the successor company shall have effect as if there were substituted references to any person who is a public gas transporter within Part I of the Gas Act 1986.
The Gas (Underground Storage) (Certificates) (Scotland) Regulations 1968.	(2) S.I. 1968/1082.	References to the successor company shall have effect as if there were substituted references to any person who is a public gas transporter within Part I of the Gas Act 1986.

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The Forestry (Exceptions from Restriction of Felling) Regulations 1979.	(3) S.I. 1979/792 .	In regulation 3, in the definition of “statutory undertakers”, for the words “public gas suppliers” there shall be substituted the words “public gas transporters”.
The Town and Country Planning Appeals (Determination by Appointed Person) (Inquiries Procedure) (Scotland) Rules 1980.	(3) S.I. 1980/1677 .	In rule 3(1), in the definition of “statutory undertakers”, for the words “public gas suppliers” there shall be substituted the words “public gas transporters”.
The Town and Country Planning (Determination of appeals by appointed persons) (Prescribed Classes) Regulations 1981.	(4) S.I. 1981/804 .	In regulation 2, in the definition of “statutory undertakers”, for the words “public gas suppliers” there shall be substituted the words “public gas transporters”.
The Gas Safety (Rights of Entry) Regulations 1983.	(5) S.I. 1983/1575 .	In regulation 2— <ul style="list-style-type: none"> (i) in paragraph (a), after the words “gas fitting, or”, there shall be inserted the words “any part of the gas system on the premises, that is to say,” and after the words “used for the” there shall be inserted the words “conveyance or”; and (ii) in paragraph (c), for the words from “gas supply system” to the end there shall be substituted the words “gas system on the premises, or disconnect the premises or, if the premises are not connected, to signify the refusal of the relevant authority to convey gas or, as the case

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		<p>may be, allow gas to be conveyed to the premises”.</p> <p>In regulation 4—</p> <p>(i) in paragraph (1), for the words “part of the gas supply system” there shall be substituted the words “any part of the gas system”, for the words “has cut off the supply to the premises” there shall be substituted the words “has disconnected the premises”, and for the words “give or, as the case may be, allow such a supply” there shall be substituted the words “convey gas or, as the case may be, allow gas to be conveyed to the premises”;</p> <p>(ii) in paragraph (2), for the word “supplied” there shall be substituted the word “conveyed”.</p> <p>In regulation 6(3)—</p> <p>(i) after the words “the supplier to withhold supply” there shall be inserted the words “or the right of the public gas transporter to refuse to convey gas to the premises”;</p> <p>(ii) in sub-paragraph (a), for the words “part of the gas supply</p>

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		system” there shall be substituted the words “any part of the gas system”;
		(iii) for sub-paragraph (b) there shall be substituted the following sub-paragraph— “(b) where the premises have been disconnected under these Regulations, they shall either remain disconnected or shall or may be reconnected; or”
		(iv) in sub-paragraph (c), for the words “give or, as the case may be, allow such a supply” there shall be substituted the words “convey gas or, as the case may be, allow gas to be conveyed”, and for the words “the supplier either shall not give a supply of gas or shall or may cause gas to be supplied to the premises,” there shall be substituted the words “that refusal shall, may

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		<p>or shall not be withdrawn”.</p> <p>In regulation 7—</p> <p>(i) in paragraph (a), for the words “part of a gas supply system” there shall be substituted the words “any part of a gas system”;</p> <p>(ii) in paragraph (b), for the words “restore the supply of gas to any premises where it has been cut off” there shall be substituted the words “reconnect any premises which have been disconnected”, and for the words “has been so cut off” there shall be substituted the words “has been so disconnected”;</p> <p>(iii) in paragraph (c), for the word “supplied” there shall be substituted the word “conveyed”, and for the words “give or, as the case may be, allow a supply” there shall be substituted the words “convey gas or, as the case may be, allow gas to be conveyed”.</p>
The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984.	(6) S.I. 1984/467 .	In regulation 2(1), in the definition of “statutory undertakers” and “statutory undertaking”, for the words “public gas supplier” there

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		shall be substituted the words “public gas transporter”.
The Cycle Tracks Regulations 1984.	(6) S.I. 1984/1431.	In regulation 2(1), in the definition of “statutory undertakers”, for the words “public gas suppliers” there shall be substituted the words “public gas transporters”.
The Road Vehicles (Construction and Use) Regulations 1986.	(7) S.I. 1986/1078.	In the definition of “public works vehicle”, in column 2 of the Table in regulation 3(2), for the words “a public gas supplier within the meaning of the Gas Act 1986” there shall be substituted the words “a public gas transporter within the meaning of Part I of the Gas Act 1986”.
The Restrictive Trade Practices (Gas Supply and Connected Activities) Order 1986.	S.I. 1986/1810.	In articles 5(a), 6(1)(a), 7(1)(a) and 8(1)(a), for the words “an authorisation granted under section 7 of the 1986 Act” there shall be substituted the words “a licence granted under section 7A(1) of the 1986 Act”.
The Town and Country Planning (Determination of Appeals by Appointed Persons) (Prescribed Classes) (Scotland) Regulations 1987.	(8) S.I. 1987/1531.	In regulation 2(1), in the definition of “statutory undertakers”, for the words “public gas suppliers” there shall be substituted the words “public gas transporters”.
The Electricity Supply Regulations 1988.	(9) S.I. 1988/1057.	In Schedule 4, Part IV, paragraph 4(a)(i), for the words “public gas supplier” there shall be substituted the words “public gas transporter”.
The Town and Country Planning (General Permitted Development) (Scotland) Order 1992.	(10) S.I. 1992/223.	In article 2(1), in the definition of “statutory undertaker”, for the words “public gas suppliers” there shall be substituted the words “public gas transporters”. In article 3(5)(b), for the words “public gas supplier” there shall be

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		substituted the words “public gas transporter”. In Schedule 1, Part 13, for the words “Gas suppliers” in the heading relating to Class 39 there shall be substituted the words “Public gas transporters”, and in Class 39, paragraphs (1) and (3), for the words “public gas supplier” in each place where they occur there shall be substituted the words “public gas transporter”.
The Planning (Hazardous Substances) Regulations 1992.	(9) S.I. 1992/656 .	In regulation 4(7)(b), for the words “public gas supplier” there shall be substituted the words “public gas transporter”, for the word “supply” there shall be substituted the word “convey”, and for the word “supplier” there shall be substituted the word “transporter”. In regulation 10(1)(f), for the words “public gas supplier” there shall be substituted the words “public gas transporter”.
The Town and Country Planning (Control of Advertisements) Regulations 1992.	(9) S.I. 1992/666 .	In regulation 2(1), in the definition of “statutory undertaker”, for the words “public gas supplier” there shall be substituted the words “public gas transporter”.
The Transport and Works (Applications and Objections Procedure) Rules 1992.	(9) S.I. 1992/2902 .	In rule 2(1), in the definition of “statutory undertaker”, the words “gas or” in paragraph (a) and the word “and” at the end of paragraph (e) shall be omitted and there shall be inserted the word “and” at the end of paragraph (f)

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		and the following new paragraph (g)— “a public gas transporter within the meaning of Part I of the Gas Act 1986”.
The Rail Crossing Extinguishment and Diversion Orders Regulations 1993.	(9) S.I. 1993/9.	In Schedule 1, Form 1, paragraph 2(a), and Form 2, paragraph 3(a), for the words “Public gas supplier” there shall be substituted the words “Public gas transporter”.
The Town and Country Planning (Hazardous Substances) (Scotland) Regulations 1993.	(9) S.I. 1993/323.	In regulation 4(7)(b), for the words “public gas supplier” there shall be substituted the words “public gas transporter”, for the word “supply” there shall be substituted the word “convey”, and for the word “supplier” there shall be substituted the word “transporter”. In regulation 11(1)(g), for the words “public gas supplier” there shall be substituted the words “public gas transporter”.
The Gas Safety (Installation and Use) Regulations 1994.	S.I. 1994/1886.	In regulation 2(1), for the definition of “public gas supplier” there shall be substituted the following definition— ““public gas transporter” has the same meaning as in section 48 of the Gas Act 1986;” In regulation 36(7), for the words “supplied by a public gas supplier” there shall be substituted the words “conveyed to premises by a public gas transporter”.

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The Town and Country Planning (General Permitted Development) Order 1995.	S.I. 1995/418 .	In article 1(2), in the definition of “statutory undertaker”, for the words “public gas supplier” there shall be substituted the words “public gas transporter”. In article 3(8), for the words “public gas supplier” there shall be substituted the words “public gas transporter”. In Schedule 2, Part 17, for the words “Gas suppliers” in the heading relating to Class F there shall be substituted the words “Public gas transporters”, and in Class F and condition F.2(a), for the words “public gas supplier”, in each place where they occur, there shall be substituted the words “public gas transporter”.

- (2) These Regulations were amended by paragraph 19 of Schedule 6 to the Gas Act [1972 \(c. 60\)](#) and paragraph 34 of Schedule 8 to the Gas Act [1986 \(c. 44\)](#); by virtue of section 49 of the Gas Act 1986 and S.I. [1986/1317](#) the successor company is British Gas plc.
- (2) These Regulations were amended by paragraph 19 of Schedule 6 to the Gas Act [1972 \(c. 60\)](#) and paragraph 34 of Schedule 8 to the Gas Act [1986 \(c. 44\)](#); by virtue of section 49 of the Gas Act 1986 and S.I. [1986/1317](#) the successor company is British Gas plc.
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- (3) Relevant amending instrument is S.I. [1986/1356](#).
- (3) Relevant amending instrument is S.I. [1986/1356](#).
- (4) Relevant amending instrument is S.I. [1986/1356](#).
- (5) Subject to amendments not relevant to these Regulations.
- (6) Relevant amending instrument is S.I. [1986/1356](#).
- (6) Relevant amending instrument is S.I. [1986/1356](#).
- (7) Relevant amending instrument is S.I. [1990/1981](#).
- (8) Relevant amending instrument is S.I. [1990/526](#).
- (9) Subject to amendments not relevant to these Regulations.
- (10) Relevant amending instruments are S.I. [1993/1036](#) and [1994/3294](#).
- (9) Subject to amendments not relevant to these Regulations.
- (9) Subject to amendments not relevant to these Regulations.
- (9) Subject to amendments not relevant to these Regulations.
- (9) Subject to amendments not relevant to these Regulations.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes modifications to subordinate legislation in consequence of the enactment of the Gas Act 1995. Article 2 amends the subordinate legislation in the manner set out in the Schedule, generally so as to substitute references to a public gas transporter within the meaning of Part I of the Gas Act 1986 for references (directly or indirectly) to a public gas supplier or British Gas plc.