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STATUTORY INSTRUMENTS

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**1996 No. 275**

**The Gas (Northern Ireland) Order 1996**

**PART II**

**GAS SUPPLY AND ASSOCIATED ACTIVITIES**

*Licensing of supply of gas and associated activities*

**[<sup>F1</sup>Designation for the purposes of [<sup>F2</sup>the Gas Regulation]**

**8H.**—(1) This Article applies for any period during which a person—

- (a) holds a licence under Article 8(1)(a); and
- (b) is certified.

(2) If the person is certified on the first <sup>F3</sup>... certification ground in Article 8F, the Department shall designate that person as a gas transmission system operator for the purposes of [<sup>F4</sup>the Gas Regulation].

(3) If the person is certified on the second certification ground in Article 8F, the Department shall designate the independent system operator nominated in the application for certification as a gas transmission system operator for the purposes of [<sup>F5</sup>the Gas Regulation].

(4) As soon as is reasonably practicable after a person is designated by virtue of this Article, the Department must give notice of the designation to—

- (a) the person so designated;
- (b) the applicant (if different); [<sup>F6</sup>and]
- (c) the Authority; <sup>F7</sup>...

<sup>F7</sup>(d) .....

(5) Where, in the case of a person certified on the first certification ground, there is a related conveyance licensee, conditions included pursuant to Article 10A(1) in the licences under Article 8(1)(a) of the certified person and the related conveyance licensee may make provision for determining which of them is to act as transmission system operator for the purposes of any provision of the Gas Regulation and any designation under this Article is without prejudice to any such provision.]

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| <b>F1</b> | Arts. 8B-8L inserted (15.4.2011) by <a href="#">Gas and Electricity (Internal Markets) Regulations (Northern Ireland) 2011 (S.R. 2011/155)</a> , <b>reg. 12</b>   |
| <b>F2</b> | Words in art. 8H heading substituted (31.12.2020) by <a href="#">The Electricity and Gas etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/530)</a> , regs. 1(1), <b>112(2)</b> (with reg. 112(6)(7)) (as amended by S.I. 2020/1016, regs. 1(2), 3(34)); 2020 c. 1, Sch. 5 para. 1(1)     |
| <b>F3</b> | Words in art. 8H(2) omitted (31.12.2020) by virtue of <a href="#">The Electricity and Gas etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/530)</a> , regs. 1(1), <b>112(3)(a)</b> (with reg. 112(6)(7)) (as amended by S.I. 2020/1016, regs. 1(2), 3(34)); 2020 c. 1, Sch. 5 para. 1(1) |

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**Changes to legislation:** *The Gas (Northern Ireland) Order 1996, Section 8H is up to date with all changes known to be in force on or before 18 January 2024. 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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- F4** Words in art. 8H(2) substituted (31.12.2020) by The Electricity and Gas etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/530), regs. 1(1), **112(3)(b)** (with reg. 112(6)(7)) (as amended by S.I. 2020/1016, regs. 1(2), 3(34)); 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in art. 8H(3) substituted (31.12.2020) by The Electricity and Gas etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/530), regs. 1(1), **112(4)** (with reg. 112(6)(7)) (as amended by S.I. 2020/1016, regs. 1(2), 3(34)); 2020 c. 1, Sch. 5 para. 1(1)
- F6** Word in art. 8H(4)(b) inserted (31.12.2020) by The Electricity and Gas etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/530), regs. 1(1), **112(5)(a)** (with reg. 112(6)(7)) (as amended by S.I. 2020/1016, regs. 1(2), 3(34)); 2020 c. 1, Sch. 5 para. 1(1)
- F7** Art. 8H(4)(d) and word omitted (31.12.2020) by virtue of The Electricity and Gas etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/530), regs. 1(1), **112(5)(b)** (with reg. 112(6)(7)) (as amended by S.I. 2020/1016, regs. 1(2), 3(34)); 2020 c. 1, Sch. 5 para. 1(1)

**Changes to legislation:**

The Gas (Northern Ireland) Order 1996, Section 8H is up to date with all changes known to be in force on or before 18 January 2024. 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.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- Instrument am. (pt.prosp.) by [1998 c. 41 s.66\(5\)Sch.10 Pt.III para.8](#)
- Instrument amended by [1998 c. 41 s.66\(5\)Sch.10 Pt.V para.18](#)
- Instrument rev. in pt. (prosp.) by [1998 c. 41 ss.66\(5\),74\(3\)](#), Sch.10, Pt.V, para.18, Sch.14, Pt.II

**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 18(1A)(aa) inserted by S.I. 2019/93, Sch. 1 para. 7(2)(b) (as substituted) by [S.I. 2019/1245 reg. 24](#) (This amendment not applied to [legislation.gov.uk](#). The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)