

SCHEDULES

SCHEDULE 5

POWERS OF ENTRY, ETC.

Powers of entry, etc.

2.—(1) The Department may by regulations make provision for empowering any person authorised by the relevant authority—

- (a) to enter any premises in which there is a service pipe connected with a gas main for the purpose of inspecting any gas fitting on the premises, any flue or means of ventilation used in connection with any such gas fitting or any part of the gas system on the premises;
- (b) where he so enters any such premises, to examine or apply any test to any such object as is mentioned in head (a) and (where the object is a gas fitting) to verify what supply of air is available for it; and
- (c) where in his opinion it is necessary to do so for the purpose of averting danger to life or property, and notwithstanding any contract previously existing, to disconnect and seal off any gas fitting or any part of the gas system on the premises, or cut off the supply of gas to the premises.

(2) Regulations under this paragraph shall provide that the power of entry conferred by the regulations may only be exercised where the relevant authority has reasonable cause to suspect that there may be a danger to life or property in connection with the presence or use of gas on the premises in question.

(3) Where any regulations under this paragraph confer any power in accordance with sub-paragraph (1)(c), the regulations shall also include provision—

- (a) for securing that, where any such power is exercised, the consumer will be notified as to the nature of the defect or other circumstances in consequence of which it has been exercised;
- (b) for enabling any consumer so notified to appeal to the Department on the grounds that the defect or other circumstances in question did not constitute a danger such as to justify the action taken in the exercise of the power, or did not exist or have ceased to exist; and
- (c) for enabling the Department to give such directions as may in accordance with the regulations be determined by it to be appropriate in consequence of any such appeal.

(4) Regulations made under this paragraph may make provision for prohibiting any persons, except with the consent of the relevant authority or in pursuance of any directions given by the Department as mentioned in sub-paragraph (3)(c) from—

- (a) reconnecting any gas fitting or any part of any gas system which has been disconnected by or on behalf of the relevant authority in exercise of a power conferred by the regulations; or
- (b) restoring the supply of gas to any premises where it has been cut off by or on behalf of the relevant authority in the exercise of any such power.