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SCHEDULES

SCHEDULE 7

Section 49(2).

SAVINGS AND TRANSITIONAL PROVISIONS

PART I

MATTERS ARISING FROM THE INDUSTRY'S NEW STRUCTURE

Pensions for members of Gas Council and Area Boards

- 1 In section 1(3) of this Act, the reference to any person who is or has been a member of the Corporation shall include a reference to any person who has at any time been a member of the Gas Council or an Area Board.

Corporation's first report, and terminal reports etc. on Gas Council and Area Boards

- 2 (1) In relation to the Corporation's report under section 8(1) of this Act in respect of their first financial year, the reference in that provision to the Corporation's functions, policy and programmes includes a reference to their functions, policy and programmes as the Gas Council, and the directions referred to in subsection (2) of the said section 8 include any directions given to them as the Gas Council, other than directions in respect of which a notification has been given before the appointed day under section 10(2) of the Gas Act 1948.
- (2) If by the appointed day the Gas Council have not made a report under section 10 of the said Act of 1948 in respect of their last full financial year as (the Gas Council, it shall be the duty of the Corporation to make to the Secretary of State as soon as possible after the appointed day a report for that year complying with the said section 10 in its application to the Gas Council.
- (3) It shall be the duty of the Corporation to make to the Secretary of State, as soon as possible after the appointed day and, if the Secretary of State so directs, in such form as is specified in the direction—
- (a) in the case of each of the Area Boards, a report for the period from the end of the Board's last full financial year until the appointed day, being one complying with the said section 10 in its application to the Board as respects that period, and
 - (b) in the case of any Area Board who have not by that day made a report under the said section 10 in respect of their last full financial year, a report for that year complying with the said section 10 in its application to the Board as respects that year.
- (4) The Secretary of State shall lay a copy of every report made to him under this paragraph before each House of Parliament.

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- (5) The Corporation shall also furnish the Secretary of State with such returns, accounts and other information as he may from time to time require with respect to the activities before the appointed day of any of the Area Boards, and shall afford to the Secretary of State facilities for the verification of information so furnished.

Gas Consultative Councils : transfer of pending matters, and terminal reports by Regional Councils

- 3 (1) Where immediately before the appointed day a Gas Consultative Council established under section 9 of the Gas Act 1948 have any matter under consideration pursuant to paragraph (a) or (b) of subsection (4) of that section, that matter shall be included among those which it is the duty of the appropriate Regional Council or Councils to consider pursuant to the corresponding provision (that is to say, paragraph (a) or paragraph (c)) of section 10(5) of this Act; and the duty of the Corporation under section 10(7) of this Act shall include a duty to consider any conclusions or reports of a Gas Consultative Council which, immediately before the appointed day, are required by subsection (6) of the said section 9 to be considered by one of the Area Boards.
- (2) Any representation received by a local representative of a Gas Consultative Council on behalf of that Council shall be treated as from the appointed day as having been received on behalf of the appropriate Regional Council or Councils.
- 4 (1) Each of the Regional Councils existing as from the appointed day for the area of one of the Area Boards shall, as soon as possible thereafter, make to the Corporation—
- (a) a report on the exercise and performance of their functions by the Gas Consultative Council for that area during the period from the end of the last full financial year of the Area Board until the appointed day, and
 - (b) if as respects that year the Gas Consultative Council have not by that day made a report to the Area Board under section 10(4) of the Gas Act 1948, a report on the exercise and performance of their functions by that Council during that year;
- and the Corporation shall include any report under this sub-paragraph in their appropriate report under paragraph 2 above on the Area Board in question.
- (2) The Secretary of State may give directions requiring any Regional Council specified therein to make to the Corporation, as soon as possible after the appointed day.—
- (a) a report on the exercise and performance of their functions by any Gas Consultative Council in respect of whom a report is not required under sub-paragraph (1) above during the period from the end of the last full financial year of the Area Board for whose area that Council was established until the appointed day, and
 - (b) if as respects that year the Gas Consultative Council have not by that day made a report to that Area Board under the said section 10(4), a report on the exercise and performance of their functions by that Council during that year;
- and the Corporation shall include any report under this sub-paragraph in their appropriate report under paragraph 2 above on that Area Board.

Compulsory purchase

- 5 Anything done before the appointed day for the purposes of or otherwise in connection with, the compulsory purchase of land, or rights over land, by the Gas

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Council or an Area Board under section 11 of the Gas Act 1948 shall have effect as from that day as if done for the purposes of, or otherwise in connection with, the compulsory purchase of the land or rights in question by the Corporation under Schedule 2 to this Act.

PART II

FINANCIAL MATTERS

Government advances to Gas Council before appointed day

- 6 Section 20(5) of this Act shall have effect as if the sums therein referred to included any sums issued to the Secretary of State in the financial year in which the appointed day falls for the purpose of enabling him to make advances to the Gas Council under section 2 of the Electricity and Gas Act 1963, and any sums received by him in that or any subsequent year in respect of advances to the Council under that section or section 42 of the Finance Act 1956 ; and the Secretary of State shall not include any sums to which this paragraph applies in any account prepared by him under the said section 2.

British Gas Stock regulations

- 7 Any regulations under section 43(2) of the Gas Act 1948 in force immediately before the appointed day shall, with the necessary modifications, have effect as from that day as if made under section 21(2) of this Act and referring to stock created under that section as well as stock created under the said section 43.

Compensation to local authorities

- 8 Payments made by the Corporation in satisfaction of the liabilities of Area Boards under section 28 of the Gas Act 1948 shall be treated as capital payments or annual ones according as they would have been treated by virtue of subsection (5) of that section if made before the appointed day by those Boards.

Accounts

- 9 (1) The statement to be prepared by the Corporation under section 23(1)(b) of this Act in respect of their first financial year shall be one showing the state of affairs of the Corporation, and the aggregate profit or loss in that year of the Corporation (whether as such or as the Gas Council) and the Area Boards.
- (2) If by the appointed day the Gas Council or any of the Area Boards have not prepared a statement of accounts in respect of their last full financial year pursuant to section 50(1) of the Gas Act 1948, it shall be the duty of the Corporation to prepare a statement in respect of that year as soon as possible after that day, being one complying with the requirements of the said section 50 and any relevant direction in force thereunder immediately before that day; and if by the appointed day the accounts of the Gas Council or of any Area Board for the said financial year have not been audited pursuant to section 50(3) of the said Act of 1948 they shall be audited pursuant to this sub-paragraph by the auditors appointed in respect of that year under the said section 50(3).

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- (3) It shall be the duty of the Corporation to prepare as soon as possible after the appointed day a statement of accounts in respect of each of the Area Boards for the period from the end of their last full financial year until that day, being a statement complying with the requirements of the said section 50 and any relevant direction in force thereunder immediately before that day ; and the accounts of each of the Area Boards for the said period shall be audited by persons appointed for the purpose by the Secretary of State, being persons qualified for appointment as auditors under section 23(6) of this Act.
- (4) As soon as any accounts have been audited by virtue of the preceding provisions of this paragraph, the Corporation shall send a copy of any statement of those accounts prepared pursuant to those provisions or to the said section 50 to the Secretary of State, together with a copy of any report made by the auditors on the statement or accounts; and the Secretary of State shall lay a copy of the statement and of any such report before each House of Parliament.

PART III

GAS SUPPLY MATTERS

Agreements not affected by duty of Corporation to avoid undue preference in supply

- 10 The reference in section 24(2) of this Act to any special agreement made by the Corporation under section 25(6) thereof shall include a reference to any special agreement made by an Area Board under section 53(6) of the Gas Act 1948, and any agreement made by the Gas Council by virtue of section 1(3) of the Gas Act 1965.

Calorific value

- 11 (1) Any declaration having effect immediately before the appointed day with respect to the calorific value within the meaning of the Gas Act 1948 of gas supplied by an Area Board shall, notwithstanding the different meaning given to that expression for the purposes of this Act, have effect as from that day as a declaration of calorific value validly made by the Corporation for those purposes.
- (2) Subject to sub-paragraph (3) below, for the purpose of ascertaining the calorific value of gas supplied by the Corporation to any area, the Secretary of State shall be treated as having made on the appointed day a determination under section 25(1) of this Act that the gas supplied to that area is to be treated as containing such an amount of water vapour as is requisite to saturate the gas with water vapour.
- (3) Sub-paragraph (2) above shall not apply in the case of gas supplied by the Corporation from any gasworks or group of gasworks in relation to which a direction under section 74(1) of the said Act of 1948 is in force immediately before the appointed day, but, instead, for the purpose mentioned in the said sub-paragraph (2), the Secretary of State shall be treated as having made on the appointed day a determination under the said section 25(1) in relation to that gas having the like effect as that direction or, as the case may require, it shall be assumed as from the appointed day that the Secretary of State has made no such determination in relation to that gas.

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Charges

- 12 (1) Any tariff in force immediately before the appointed day under section 53(4) of the Gas Act 1948 shall have effect as from that day as if fixed by the Corporation under section 25(3) of this Act.
- (2) Nothing in the said section 25 shall affect any special agreement made by an Area Board under section 53(6) of the said Act of 1948, or any agreement made by the Gas Council by virtue of section 1(3) of the Gas Act 1965.

Standards

- 13 (1) In relation to any regulations made before the appointed day under subsection (1) of section 26 of this Act, the first reference in that subsection to the Corporation shall be read as a reference to the Gas Council.
- (2) Any regulations in force immediately before the appointed day under section 55(4) of the Gas Act 1948 shall, with the necessary modifications, have effect as from that day as if made under subsection (3) of the said section 26:
- Provided that this sub-paragraph shall not apply to regulations relating to any such matter as is specified in paragraph (f) of the said section 55(4).
- (3) Any appointment having effect immediately before the appointed day under and for the purposes of section 55(2) of the said Act of 1948 shall have effect as from that day as if made under and for the purposes of subsection (2) of the said section 26.
- (4) The repeals effected by this Act shall not affect—
- (a) the operation of section 55(3) of the said Act of 1948 in relation to the payment of pensions to or in respect of persons whose appointments under section 55(2) of that Act come to an end before the appointed day, or
 - (b) the operation of the said section 55(3), section 2 of the Gas Act 1960 or any related enactment in relation to sums paid by the Secretary of State under the said section 55(3) or other expenses incurred before the appointed day.

Supply by other persons

- 14 Section 29(1) of this Act shall not apply—
- (a) to the supply of gas by any person to premises which he was supplying immediately before 1st May 1949 (the vesting date for the purposes of the Gas Act 1948), or
 - (b) to a person's supply of gas to any premises in accordance with the consent of an Area Board granted to him before the appointed day under section 52(1) of the said Act of 1948.

Meters

- 15 (1) Any appointment having effect immediately before the appointed day under section 54 of the Gas Act 1948 shall have effect as from that day as if made under section 30 of this Act
- (2) Any regulations in force immediately before the appointed day under the said section 54 shall, with the necessary modifications, have effect as from that day as if made under the said section 30.

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- (3) Any meter which, immediately before the appointed day, is duly stamped under the said section 54 or is treated by virtue of subsection (7) of that section as so stamped, shall be treated as from that day as stamped by a meter examiner appointed under the said section 30.
- (4) The repeal by this Act of subsection (3) of the said section 54 shall not affect the operation of that subsection in relation to the payment of pensions to or in respect of persons whose appointments under that section come to an end before the appointed day.

Safety regulations

- 16 Any regulations in force immediately before the appointed day under section 67 of the Gas Act 1948 shall, with the necessary modifications, have effect as from that day as if made under section 31 of this Act.

Re-sale charges

- 17 The maximum prices for the re-sale of gas supplied by Area Boards in force immediately before the appointed day under paragraph 17 of Schedule 3 to the Gas Act 1948 shall be treated as from that day as prices fixed by the Corporation under paragraph 12 of Schedule 4 to this Act.

Interest on deposits with Corporation by way of security

- 18 Any order in force immediately before the appointed day under paragraph 39(2) of Schedule 3 to the Gas Act 1948 shall, with the necessary modifications, have effect as from that day as if made under paragraph 30(2) of Schedule 4 to this Act.

PART IV

MISCELLANEOUS MATTERS

Conditions of employment, etc.

- 19 Any agreement with any organisation concluded by the Gas Council or an Area Board for the purposes of section 57 of the Gas Act 1948 shall, so far as in force immediately before the appointed day, have effect as from that day as if concluded with that organisation by the Corporation and for the purposes of section 35 of this Act, but, as continued in force by this paragraph, shall apply only to such class or description of persons employed by the Corporation as corresponds as nearly as may be to the class or description of persons employed by the Council or Board to which the agreement applies immediately before the appointed day.

Pension rights

- 20 The repeal by this Act of section 58 of the Gas Act 1948 shall not affect the operation of subsection (3) of that section in relation to regulations made before the appointed day, and, notwithstanding that repeal, subsection (5) of that section shall, with the necessary modifications, continue to have effect in relation to any such question as is therein mentioned.

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Compensation to officers of nationalised undertakings, etc.

- 21 Any regulations in force immediately before the appointed day under section 60 of the Gas Act 1948 (including regulations made by virtue of section 62(2) of that Act) shall, notwithstanding the repeal of those provisions by this Act, continue in force thereafter subject to the necessary modifications.

Payments in respect of selective employment tax

- 22 The payments which may be made to the Corporation under section 3(2) of the Selective Employment Payments Act 1966 shall include payments in respect of tax paid before the appointed day either by the Corporation as the Gas Council or by an Area Board.

British Gas Stock issued under Gas Act 1948 by way of compensation

- 23 Notwithstanding the repeal by this Act of the Gas Act 1948—
- (a) composite companies within the meaning of that Act shall continue to have the rights and powers conferred on them in connection with British Gas Stock by section 30(7) of that Act, and
 - (b) paragraph 5 of Part I of Schedule 2 to that Act, including that paragraph as applied by paragraph 6 of Part II of that Schedule, shall continue to apply to British Gas Stock issued pursuant to that Schedule.