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SCHEDULES

SCHEDULE 3

MINOR AND CONSEQUENTIAL AMENDMENTS

The Gas Act 1972

- 12 In section 7(2) of the 1972 Act (general powers of Secretary of State to give directions to Gas Corporation)—
- (a) the words "to dispose of any part of their undertaking or of any assets held by them" and the words "to dispose of any part of its undertaking or of any assets held by it" shall be omitted ; and
 - (b) for the words from " the Corporation shall" onwards there shall be substituted the words " it shall be the duty of the Corporation (notwithstanding any duty imposed on them by or under any enactment) to give effect to any such direction ".
- 13 In section 24 of that Act (duty of Gas Corporation to avoid undue preference) the following subsection shall be inserted after subsection (2)—
- “(3) In this section ' consumer' means any person who—
- (a) is the owner or occupier of premises situated within 25 yards from any distribution main of the Corporation ; and
 - (b) is there supplied with gas by the Corporation at a rate not exceeding 25,000 therms a year.”
- 14 (1) After section 31 of that Act there shall be inserted the following section—

“Supplementary

31A Relief to suppliers in emergency conditions.

- (1) Without prejudice to any other provision of this Act or the provisions of any regulations thereunder, in any proceedings against any person supplying gas through pipes for or arising out of a failure by him to comply with any duty with respect to the supply of gas imposed on him by or under any enactment (including any duty with respect to pressure of supply), it shall be a defence for that person to prove that circumstances existed by reason of which compliance with the duty would or might have involved danger to the public, and that he took all such steps as it was reasonable for him to take both to prevent the circumstances from occurring and to prevent them from having that effect.”
 - (2) Section 28 of that Act (which is superseded by this paragraph) shall be omitted.
- 15 Section 30(8) of that Act (provisions as to testing and stamping of meters not to apply in relation to the supply of gas under certain agreements made by the Gas Corporation) shall be omitted.

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- 16 In section 45(4) of that Act (provisions as to regulations and orders) after the words " an order appointing a day " there shall be inserted the words " , an order under section 29(3) above ".
- 17 In section 48(1) of that Act (interpretation)—
- (a) after the definition of " the Corporation " there shall be inserted the following definition—
- “distribution main ' , in relation to the Corporation, means any main of the Corporation through which the Corporation are for the time being distributing gas and which is not used only for the purpose of giving a separate supply of gas for industrial purposes, or of conveying gas in bulk ;” ; and
- (b) after the definition of " functions " there shall be inserted the following definition—
- “ gas ' means—
- (a) any substance which consists wholly or mainly of—
- (i) methane, ethane, propane, butane, hydrogen or carbon monoxide ;
- (ii) a mixture of two or more of those gases ; or
- (iii) a combustible mixture of one or more of those gases and air ; and
- (b) any other substance which is gaseous at a temperature of 15°C and a pressure of 1013.25 milli bars and is specified in an order made by the Secretary of State,
- except that, in Part III of this Act, that expression does not include any substance which is not in a gaseous state.”
- 18 At the end of paragraph 1 of Schedule 2 to that Act (powers of acquisition) there shall be added the words " (including any enactment passed or made after the passing of this Act) " .
- 19 In paragraph 2(1) of Schedule 4 to that Act (obligation to supply gas) for the words "any main of the Corporation through which the Corporation are for the time being distributing gas " there shall be substituted the words " any distribution main of the Corporation " , and the proviso shall be omitted.