

SCHEDULES

SCHEDULE 7

Section 67(1).

MINOR AND CONSEQUENTIAL AMENDMENTS

Interpretation

1 In this Schedule " public gas supplier " has the same meaning as in Part I of this Act.

Enactments relating to statutory undertakers etc.

- 2 (1) A public gas supplier shall be deemed to be a statutory undertaker and his undertaking a statutory undertaking for the purposes of the following enactments, namely—
- (i) the Public Health Act 1925 ;
 - (ii) the Public Health Act 1936 ;
 - (iii) Schedule 3 to the Water Act 1945 ;
 - (iv) the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 ;
 - (v) section 4 of the Requisitioned Land and War Works Act 1948;
 - (vi) the Water Act 1948 ;
 - (vii) the National Parks and Access to the Countryside Act 1949;
 - (viii) the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 ;
 - (ix) the Landlord and Tenant Act 1954 ;
 - (x) the Opencast Coal Act 1958 ;
 - (xi) the Flood Prevention (Scotland) Act 1961 ;
 - (xii) section 17(10) of the Public Health Act 1961 ;
 - (xiii) the Pipe-lines Act 1962 ;
 - (xiv) Schedule 3 to the Harbours Act 1964 ;
 - (xv) Schedule 6 to the Gas Act 1965 ;
 - (xvi) section 10 of the Highlands and Islands Development (Scotland) Act 1965 ;
 - (xvii) section 56 of the Housing (Scotland) Act 1966 ;
 - (xviii) section 40 of the Forestry Act 1967 ;
 - (xix) section 50 of the Agriculture Act 1967 ;
 - (xx) sections 38 and 66 of the Countryside (Scotland) Act 1967 ;
 - (xxi) the New Towns (Scotland) Act 1968 ;
 - (xxii) section 11 of and paragraph 6 of Schedule 2 to the Countryside Act 1968 ;
 - (xxiii) section 22 of the Sewerage (Scotland) Act 1968 ;
 - (xxiv) sections 22, 40, 48, 49, 118(2), 127 to 129, 132, 149, 165(3), 181, 182, 183, 186, 192, 206(6), 209(3), 210(2), 216, 222, 223, 225 to 241, 245(7)(a), 255, 281(6)(b) and 290(2) of, and Schedule 10, paragraphs 1 to 3 of Schedule 19 and Schedule 20 to, the Town and Country Planning Act 1971 ;
 - (xxv) sections 19, 37, 45, 46, 108(2), 117 to 119, 121, 138, 154(3), 170 to 172, 175, 181, 195(6), 198(3), 199(2), 202(3), 205, 211, 212, 214, 216 to 230, 233(7), 242, 259, 266(6) and 275 (2) of, and Schedule 8, paragraphs 1 to 3 of

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- Schedule 17 and Schedule 18 to, the Town and Country Planning (Scotland) Act 1972;
- (xxvi) paragraph 36 of Schedule 16 to the Local Government Act 1972 ;
 - (xxvii) sections 51 and 71 of the Land Compensation Act 1973 ;
 - (xxviii) sections 47 and 67 of the Land Compensation (Scotland) Act 1973 ;
 - (xxix) section 73 of the Control of Pollution Act 1974 ;
 - (xxx) sections 33, 34 and 36A of the Housing (Scotland) Act 1974. ;
 - (xxxi) section 10(4) of the Scottish Development Agency Act 1975. ;
 - (xxxii) the Welsh Development Agency Act 1975 ;
 - (xxxiii) sections 15(3) and 26 of the Local Government (Miscellaneous Provisions) Act 1976 ;
 - (xxxiv) the Development of Rural Wales Act 1976 ;
 - (xxxv) section 9(3) of the Inner Urban Areas Act 1978 ;
 - (xxxvi) section 13 of the Electricity (Scotland) Act 1979 ;
 - (xxxvii) the Ancient Monuments and Archaeological Areas Act 1979 ;
 - (xxxviii) section 16 of and Schedule 4 to the Water (Scotland) Act 1980 ;
 - (xxxix) Parts XII and XVI and section 120 of the Local Government, Planning and Land Act 1980 ;
 - (xl) the Highways Act 1980 ;
 - (xli) the New Towns Act 1981 ;
 - (xlii) the Acquisition of Land Act 1981 ;
 - (xliii) the Civil Aviation Act 1982 ;
 - (xliv) section 30 of the Local Government (Miscellaneous Provisions) Act 1982 ;
 - (xlv) section 2(2)(c) of the Cycle Tracks Act 1984 ;
 - (xlvi) the Roads (Scotland) Act 1984 ;
 - (xlvii) the Building Act 1984 ;
 - (xlviii) sections 283(2) and 296 of the Housing Act 1985.
- (2) References to gas undertakers in the following enactments shall have effect as references to a public gas supplier, namely—
- (a) section 17(1)(b) of the Requisitioned Land and War Works Act 1945 ;
 - (b) the Local Government (Omnibus Shelters and Queue Barriers) (Scotland) Act 1958 ;
 - (c) section 215(2)(a) of the Town and Country Planning Act 1971 ;
 - (d) section 204(2)(a) of the Town and Country Planning (Scotland) Act 1972 ;
 - (e) sections 73(11)(c) and 74(11)(b) of the Highways Act 1980 ;
 - (f) section 48(6)(c) of the Civil Aviation Act 1982 ;
 - (g) paragraph 3 of Schedule 5 to the Road Traffic Regulation Act 1984.
- (3) References in the Landlord and Tenant Act 1927 to a statutory company shall be deemed to include references to a public gas supplier.
- (4) References to public utility undertakers in the Civil Defence Act 1939 shall be deemed to include references to a public gas supplier.
- (5) A public gas supplier shall be deemed to be an undertaker for the purposes of sections 157 to 160 of the Highways Act 1980.

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- (6) A public gas supplier shall be deemed to be an excepted undertaker for the purposes of section 6 of the Water Act 1981
- (7) Paragraph 23 of Schedule 2 to the Telecommunications Act 1984 (undertakers' works) shall apply to a public gas supplier for the purposes of any works carried out by him.
- (8) The reference in section 82(4) of the Building Act 1984 (provisions with respect to demolition orders) to a person authorised by an enactment to carry on an undertaking for the supply of gas shall have effect as a reference to a public gas supplier.
- (9) In the following enactments, namely—
- (a) the Water Act 1948 ;
 - (b) section 39 of the Opencast Coal Act 1958 ;
 - (c) paragraph 2 of Schedule 6 to the Gas Act 1965 ;
 - (d) the New Towns (Scotland) Act 1968 ;
 - (e) sections 206(6), 225 to 238, 281(6)(b) and 290(2) of, and Schedule 10 to, the Town and Country Planning Act 1971 ;
 - (f) sections 195(6), 214 to 227, 266(6)(b) and 275(2) of, and Schedule 8 to, the Town and Country Planning (Scotland) Act 1972;
 - (g) section 10(4) of the Scottish Development Agency Act 1975 ;
 - (h) the Welsh Development Agency Act 1975 ;
 - (i) the Development of Rural Wales Act 1976 ;
 - (j) the New Towns Act 1981,
- "the appropriate Minister", in relation to a public gas supplier shall mean the Secretary of State for Energy.
- (10) In the following enactments, namely—
- (a) the Pipe-lines Act 1962 ;
 - (b) Schedule 3 to the Harbours Act 1964 ;
 - (c) Section 121 of the Highways Act 1980 ; and
 - (d) the Acquisition of Land Act 1981,
- " the appropriate Minister", in relation to a public gas supplier, shall mean the Secretary of State.

The Water Act 1945

- 3 (1) Section 24(6) of the Water Act 1945 (power of statutory water undertaker to acquire land by agreement or compulsorily) shall have effect as if the reference to any persons authorised by any enactment to carry on any gas undertaking were a reference to a public gas supplier.
- (2) In paragraph (c) of the proviso to section 70 of Schedule 3 to that Act (provisions to be incorporated in orders relating to water undertakings), for the words from " gas undertakers " to " them " there shall be substituted the words "public gas supplier (within the meaning of Part I of the Gas Act 1986), except under the supervision (if given) of an authorised officer of that supplier and in accordance with plans approved by that supplier".

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The Rights of Entry (Gas and Electricity Boards) Act 1954

- 4 (1) In section 1(2) of the Rights of Entry (Gas and Electricity Boards) Act 1954—
- (a) for the words " the Gas Act 1972 or regulations made there under, by any other enactment relating to gas " there shall be substituted the words "the Gas Act 1986 or regulations made under it, by any other enactment relating to gas" ; and
 - (b) for the words "the British Gas Corporation or an Electricity Board" there shall be substituted the words "a public gas supplier or an Electricity Board".
- (2) In section 2(1)(a) of that Act—
- (a) for the words " the Corporation or an " there shall be substituted the words "a public gas supplier or an" ; and
 - (b) for the words " the Corporation or such" there shall be substituted the words "a public gas supplier or such".
- (3) In the said section 2(1), for the words " the Corporation or Board or their employee ", in both places where they occur, there shall be substituted the words "the supplier or Board or his or their employee".
- (4) In section 2(3) of that Act, for the words " section 44 of the Gas Act 1972 (if entry is required for the purposes of the Corporation) " there shall be substituted the words "section 46 of the Gas Act 1986 (if entry is required for the purposes of a public gas supplier)".
- (5) In section 3(1) of that Act—
- (a) the definition of " the Corporation " shall be omitted ;
 - (b) for the definition of " employee " there shall be substituted the following definition—
"employee', in relation to a public gas supplier or to an Electricity Board, means an officer, servant or agent of the supplier or of the Board ;”;
 - (c) after the definition of " premises" there shall be inserted the following definition—
"public gas supplier' has the same meaning as in Part I of the Gas Act 1986 ;”.

The Pipe-lines Act 1962

- 5 (1) In section 58(1) of the Pipe-lines Act 1962 (statutory bodies to whom, or in relation to whose pipe-lines, certain provisions of that Act do not apply), for paragraph (a) there shall be substituted the following paragraph—
“(a) a public gas supplier within the meaning of Part I of the Gas Act 1986 ;”.
- (2) Notwithstanding subsection (4) of the said section 58, but subject to sub-paragraph (3) below, the references to a pipe-line in sections 27(1) and 31(1) of the said Act of 1962 (protection of pipe-lines imperilled by buildings, structures or deposits) shall include references to any pipe-line vested in a public gas supplier other than one laid in a street or a service pipe.
- (3) The application by virtue of sub-paragraph (2) above of the said section 27(1) and the said section 31(1) to a particular part of any pipe-line shall be dependent upon there having been previously deposited with every local authority in whose area the part

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lies by the public gas supplier a map, on a scale not less than 1 in 10,560, showing the route taken by the part.

- (4) A local authority holding a map relating to a pipe-line vested in a public gas supplier shall keep the map at their offices, and shall secure that it is open to inspection by any person at all reasonable times free of charge.
- (5) In this paragraph—
 - " local authority " means—
 - (a) in England and Wales, the council of a county, district or London borough, and the Common Council of the City of London; and
 - (b) in Scotland, an islands or district council ;
 - " street " has the same meaning as in the Public Utilities Street Works Act 1950.
- (6) In its application to Scotland this paragraph shall have effect as if for the word street, in both places where it occurs there were substituted the word " road ".

The Gas Act 1965

- 6 (1) The Gas Act 1965—
 - (a) shall have effect without the amendments made by paragraph 14 of Schedule 6 to the 1972 Act and the associated repeals made by Schedule 8 to that Act; and
 - (b) as so having effect, shall be amended as follows.
- (2) In Part II, for the words " gas authority ", wherever they occur, there shall be substituted the words "public gas supplier".
- (3) In Part II, for the words "section 11 of the principal Act", wherever they occur, there shall be substituted the words "Schedule 3 to the principal Act".
- (4) In section 4(2), the words from " shall relate only " to " statutory corporation and " shall be omitted.
- (5) In section 5(5), for the words " inform the Minister that they object" there shall be substituted the words "informs the Minister that he objects".
- (6) In section 6(1), for the word " apply " there shall be substituted the word "applies", for the word " satisfy " there shall be substituted the word "satisfies" and for the words " they think " there shall be substituted the words "he thinks".
- (7) In section 6(2), for the words " have taken " there shall be substituted the words "has taken" and for the word " them" there shall be substituted the word "him".
- (8) In section 6(3), for the word " them " there shall be substituted the word "him".
- (9) In section 6(4), for the word " their " there shall be substituted the word "his" and for the word " cause" there shall be substituted the word "causes".
- (10) In section 6(8), for the word " apply " there shall be substituted the word "applies" and for the word " they " there shall be substituted the word "he".
- (11) In section 13(3), for the word " propose " there shall be substituted the word "proposes" and for the words " the said section 11 " there shall be substituted the words "the said Schedule 3".

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- (12) In section 15(2), for the word "their" there shall be substituted die word "his".
- (13) In section 16(1), for the words " develop or operate " there shall be substituted the words "develops or operates".
- (14) In sections 16(5) and 18(9), for the word " fail" there shall be substituted the word "fails".
- (15) In section 17(5), for the word " them " there shall be substituted the word "him".
- (16) In section 19(3)—
- (a) at the beginning there shall be inserted the words "Every public gas supplier to whom a storage authorisation order applies during any period shall pay to the Minister such proportion as the Minister may determine of" ; and
 - (b) for the words " shall be repaid to him by the Gas Council and " there shall be substituted the words "and any sums received by the Minister under this subsection shall be".
- (17) In section 19(4), for the words "the Gas Council in respect of sums payable by them " there shall be substituted the words "a public gas supplier in respect of sums payable by him".
- (18) In section 21(1), for the words " Section 68(1)" there shall be substituted the words "Section 43(1)".
- (19) In section 21(2), for the words "Section 69(1)" there shall be substituted the words "Section 43(2)" and for the words " section 68(1) " there shall be substituted the words "section 43(1)".
- (20) In section 21(3), the words "any gas authority or" and the words " authority or", in the second place where they occur, shall be omitted.
- (21) In section 22(1), for the words " Section 70 " there shall be substituted the words "Section 46".
- (22) In section 22(2), for the words " Section 73 of the principal Act" there shall be substituted the words "Section 46 of the Gas Act 1972" and for the words " the principal Act", in the second place where they occur, there shall be substituted the words "that Act".
- (23) In section 27(1), for the words " the Corporation " there shall be substituted the words "the public gas supplier concerned".
- (24) In section 28(1)—
- (a) the definition of " gas authority " shall be omitted ; and
 - (b) for the definition of " large-scale map " there shall be substituted the following definition—

“ large-scale map' means a map drawn on a scale not less than 1 in 10,560 ;”
- (25) In section 32(2), for the words " the Gas Act 1948, ' Area Board' has the same meaning as in " there shall be substituted the words " the Gas Act 1986, ' public gas supplier' has the same meaning as in Part I of".
- (26) In Schedule 2—

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- (a) for the words " the applicants ", wherever they occur, there shall be substituted the words "the applicant";
- (b) for the words " their proposals ", wherever they occur, there shall be substituted the words "his proposals";
- (c) for the words " their application", wherever they occur, there shall be substituted the words "his application";
- (d) for the words " section 73 of the principal Act", wherever they occur, there shall be substituted the words "section 46 of the Gas Act 1972";
- (e) in paragraph 5(2), for the words "the applicants*" there shall be substituted the words "the applicant's";
- (f) in paragraph 9(1), for the words " they have been, or expect " there shall be substituted the words "he has been, or expects" and for the words "they must" there shall be substituted the words "he must";
- (g) in paragraph 9(2), for the word " have ", in both places where it occurs, there shall be substituted the word "has" ; and
- (h) in paragraph 14(1), for the words " gas authorities " there shall be substituted the words "public gas suppliers".

(27) In Schedule 6—

- (a) for the words " the applicants ", wherever they occur, there shall be substituted the words "the applicant";
- (b) in paragraph 1(2), for the words "their application" there shall be substituted the words "his application";
- (c) in paragraph 1(4), for the words "their proposals" there shall be substituted the words "his proposals";
- (d) in paragraph 5, for the words " gas board " there shall be substituted the words "public gas supplier";
- (e) in paragraph 7(1), for the words " their powers " there shall be substituted the words "his powers" ; and
- (f) in paragraph 7(2), for the words " their duty " there shall be substituted the words "his duty".

The Local Government (Scotland) Act 1966

- 7 In section 18(4) of the Local Government (Scotland) Act 1966, for the words "the British Gas Corporation" there shall be substituted the words "a public gas supplier within the meaning of Part I of the Gas Act 1986".

The General Rate Act 1967

- 8 (1) In section 19(6) of the General Rate Act 1967 (definitions for purposes of the general rule for the ascertainment of rateable value), in paragraph (b) of the definition of " non-industrial building ", after sub-paragraph (ii) there shall be inserted “; or
(iii) any public gas supplier (within the meaning of Part I of the Gas Act 1986) or any private gas supplier (within the meaning of section 33A below).”

- (2) For section 33 of that Act there shall be substituted the following section—

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“33 Public gas suppliers

- (1) Subject to subsection (2) and without prejudice suppliers to subsections (3) and (5) of this section, no premises occupied by a public gas supplier (within the meaning of Part I of the Gas Act 1986) to whom this section is applied by order of the Secretary of State shall be liable to be rated or to be included in any valuation list or in any rate ; and in the following provisions of this section and in Schedule 6 to this Act ' relevant supplier' means any public gas supplier to whom this section is so applied.
- (2) The foregoing subsection shall not apply—
 - (a) to premises used as a dwelling ; or
 - (b) to premises occupied by a relevant supplier wholly or mainly for the purposes of an undertaking for the supply of water ; or
 - (c) to premises occupied and used by a relevant supplier wholly or mainly for the manufacture of plant or gas fittings ; or
 - (d) to a shop, room or other place occupied and used by a relevant supplier wholly or mainly for the sale, display or demonstration of apparatus or accessories for use by consumers of gas (any use for the receipt of payments for gas supplied being disregarded); or
 - (e) subject and without prejudice to the provisions of paragraph 5 of Schedule 6 to this Act, to office premises occupied by a relevant supplier and not situated on operational land of his.
- (3) For the purposes of the making and levying of a rate for any rating area for any rate period, if in the penultimate year—
 - (a) a relevant supplier—
 - (i) supplied gas to consumers in that area; or
 - (ii) manufactured gas in that area ; or
 - (iii) produced gas in that area by the application to gas purchased by him of any process not consisting only of purification, or of blending with other gases, or of both purification and such blending; or
 - (b) private gas suppliers (within the meaning of section 33A of this Act) supplied to consumers in that area gas which had been conveyed (whether within or outside that area) by pipelines belonging to a relevant supplier,
 the relevant supplier shall be treated as occupying in that area during that rate period a hereditament of a rateable value calculated in accordance with the provisions of an order under section 19 of, and paragraph 3 of Schedule 3 to, the Local Government Act 1974.
- (4) The hereditament which a relevant supplier is to be treated as occupying in a rating area by virtue of subsection (3) of this section shall be taken not to be situated in any part of that area in which there are leviable, as an additional item of the rate, expenses which are not leviable in the area taken as a whole.
- (5) If the Secretary of State is of opinion that payments by way of rates should be made by a relevant supplier by virtue of this subsection by reference to any premises occupied and used by him for the reception or liquefaction of gas or the evaporation of gas in a liquid state, being in any case gas purchased

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by him, the Secretary of State may, subject to paragraph 6 of Schedule 6 to this Act, make an order designating the premises for the purposes of this subsection and providing for the determination, by such method as may be specified by the order, of a value for the premises for those purposes.

- (6) Where an order under subsection (5) of this section is in force, the relevant supplier shall be treated for rating purposes as occupying within the rating area in which the premises designated by the order are situated (and whether or not the relevant supplier occupies or is treated as occupying any other hereditament in that area) a hereditament of a rateable value equal to the value determined as mentioned in that subsection.
- (7) Subject to paragraph 6 of Schedule 6 to this Act, the Secretary of State may by order provide that, in such of the provisions of this section, the said Schedule 6, or any other enactment relating to rating as may be specified in the order, any reference to the manufacture of gas shall include a reference to such dealings with gas as may be specified by the order.
- (8) There shall have effect for the purposes of this section and an order under section 19 of, and paragraph 3 of Schedule 3 to, the Local Government Act 1974, the supplementary provisions contained in Schedule 6 to this Act; and for the purposes of this section, such an order and that Schedule—
- (a) the expression 'gas' means any substance which is or (if it were in a gaseous state) would be gas within the meaning of Part I of the Gas Act 1986 and, without prejudice to the provisions of any order under subsection (7) of this section, the following operations—
- (i) the liquefaction of gas, and
- (ii) the evaporation of gas in a liquid state,
- shall not of themselves be taken to constitute the manufacture of gas or the application of a process to gas;
- (b) the expression 'penultimate year', in relation to a rate period or to a year, means the last but one year before that rate period or year ;
- (c) the expressions 'office premises' and 'operational land' have the meanings respectively assigned to them by section 32(8) of this Act.”

- (3) After that section there shall be inserted the following section—

“33A Private gas suppliers.

- (1) The Secretary of State may by order provide that, in such cases and subject to such exceptions and modifications as may be prescribed by the order, section 33 of and Schedule 6 to this Act shall apply to premises occupied by private gas suppliers for or in connection with the supply of gas through pipes to consumers' premises.
- (2) In this section—
- 'gas' has the same meaning as in Part I of the Gas Act 1986 ;
- 'private gas supplier' means a person who is authorised by section 6 of the said Act of 1986, or by an authorisation under section 8 of that Act, to supply gas through pipes to consumers' premises.

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- (3) Any statutory instrument containing an order under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.”
- (4) In paragraph 5(1)(b) of Schedule 3 to that Act (classes of machinery or plant deemed to be part of hereditament), for the words " the British Gas Corporation " there shall be substituted the words "a public gas supplier within the meaning of Part I of the Gas Act 1986".
- (5) For Schedule 6 to that Act there shall be substituted the following Schedule—

“SCHEDULE 6

PUBLIC GAS SUPPLIERS

- 1 As respects each rating area in which a relevant supplier will fall to be treated as occupying during any rate period a hereditament of a rateable value calculated in accordance with an order under section 19 of, and paragraph 3 of Schedule 3 to, the Local Government Act 1974, it shall be the duty of the supplier, before the end of the month of October preceding the beginning of that period, to transmit to the rating authority and to the valuation officer a statement setting out particulars of all the matters referred to in such an order and relevant to the purpose of computing the rateable value of that hereditament.
- 2 On receipt of a statement under paragraph 1 above, the valuation officer shall calculate the rateable value of the hereditament which the relevant supplier is to be treated as occupying during the rate period in question, and shall notify the amount of that rateable value to the rating authority before the end of the month of December preceding the beginning of that rate period.
- 3 The duty imposed on a relevant supplier by paragraph 1 above shall be enforceable by civil proceedings by the rating authority or the valuation officer for an injunction or for any other appropriate relief ; and the duty imposed on the valuation officer by paragraph 2 above shall be enforceable by mandamus at the instance of the rating authority.
- 4 (1) Where the valuation officer notifies the amount of a rateable value to the rating authority in accordance with paragraph 2 above—
- (a) the rating authority, in making and levying any rate for a rate period to which the notification relates, shall include the relevant supplier as the occupier of a hereditament of that rateable value ; and
 - (b) the valuation officer, at or as soon as may be after the beginning of the year consisting of any such rate period, shall cause such alterations (if any) to be made in the valuation list as may be requisite for showing the relevant supplier in the list as the occupier of a hereditament of that rateable value, and if any such alteration is made after the beginning of the year, it shall be treated as having been made at the beginning of the year.
- (2) If the year referred to in sub-paragraph (1)(b) above is a year beginning with the date on which a new valuation list comes into force, that sub-paragraph shall not apply, but the valuation officer shall include the

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relevant supplier in the list as the occupier of a hereditament of the said rateable value.

- 5 For the purposes of section 33(2)(e) of this Act, paragraph 8 of Schedule 5 to this Act shall have effect as if for any reference therein to section 32(2)(b) of this Act there were substituted a reference to the said section 33(2)(e), and as if it provided for the determination of any such question as is mentioned in subparagraph (3) or (4) thereof by the Secretary of State for Energy.
- 6 Before making any such order under section 33(5) or (7) of this Act, the Secretary of State shall consult with the relevant supplier, with such associations of local authorities as appear to him to be concerned, and with any local authority with whom consultation appears to him to be desirable ; and any such order—
- (a) may contain such incidental, supplemental and consequential provisions, including any provisions altering any enactment or instrument, as the Secretary of State considers expedient for the purposes of the order ; and
 - (b) shall be subject to annulment in pursuance of a resolution of either House of Parliament.”

The Transport Act 1968

- 9 In section 109(2) of the Transport Act 1968 (power of certain bodies to maintain or take over waterways and connected works), for paragraph (d) there shall be substituted the following paragraph—
- “(d) a public gas supplier within the meaning of Part I of the Gas Act 1986 ;”.

The Post Office Act 1969

- 10 In section 7(1A) of the Post Office Act 1969 (powers of the Post Office), after paragraph (c) there shall be inserted the following paragraph—
- “(ca) a public gas supplier (within the meaning of Part I of the Gas Act 1986);”.

The Chronically Sick and Disabled Persons Act 1970

- 11 In section 14(1) of the Chronically Sick and Disabled Persons Act 1970 (miscellaneous advisory committees), for the words "the National Gas Consumers' Council and the Regional Gas Consumers' Councils " there shall be substituted the words "the Gas Consumers' Council".

The Town and Country Planning Act 1971

- 12 In section 223(2) of the Town and Country Planning Act 1971 (cases in which land is to be treated as not being operational land of statutory undertakers), for the words " the Gas Act 1972 or " there shall be substituted the words "the Gas Act 1986 or".

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The Town and Country Planning (Scotland) Act 1972

- 13 In section 212(2) of the Town and Country Planning (Scotland) Act 1972 (cases in which land is to be treated as not operational land of statutory undertakers), for the words " the Gas Act 1972 " there shall be substituted the words "the Gas Act 1986".

The Land Compensation Act 1973

- 14 (1) In section 44(2) of the Land Compensation Act 1973 (compensation for injurious affection), for the words "paragraph 13 of Schedule 2 to the Gas Act 1972 " there shall be substituted the words "paragraph 7 of Schedule 3 to the Gas Act 1986".
- (2) In section 58(2) of that Act (determination of material detriment where part of house etc. proposed for compulsory acquisition), for the words "paragraph 14 of Schedule 2 to the Gas Act 1972" there shall be substituted the words "paragraph 8 of Schedule 3 to the Gas Act 1986".

The Fair Trading Act 1973

- 15 (1) The Director General of Fair Trading shall consult with the Director before publishing under section 124 of the Fair Trading Act 1973 (publication of information or advice) any information or advice which the Director has power to publish under section 35(1) of this Act.
- (2) Section 125(1) of that Act (annual and other reports) shall not apply to activities of the Monopolies and Mergers Commission on which the Director is required to report by section 39(1) of this Act.
- (3) In section 133(2) of that Act (exceptions to general restriction on disclosure of information), after the words " the Director General of Telecommunications," there shall be inserted the words "the Director General of Gas Supply," and after the words "the Telecommunications Act 1984," there shall be inserted the words " or the Gas Act 1986,".
- (4) In Part I of Schedule 5 to that Act (goods and services referred to in section 16 of that Act), for paragraphs 1 and 2 there shall be substituted the following paragraph—
- “1 Gas supplied through pipes to tariff customers (within the meaning of Part I of the Gas Act 1986).”

The Land Compensation (Scotland) Act 1973

- 16 (1) In section 41(2) of the Land Compensation (Scotland) Act 1973 (compensation for injurious affection), for the words " paragraph 26 of Schedule 2 to the Gas Act 1972 " there shall be substituted the words "paragraph 24 of Schedule 3 to the Gas Act 1986".
- (2) In section 54(2) of that Act (determination of material detriment where part of house etc. proposed for compulsory acquisition), for the words " paragraph 24 of Schedule 2 to the Gas Act 1972 " there shall be substituted the words "paragraph 22 of Schedule 3 to the Gas Act 1986".

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The Local Government Act 1974

- 17 In Schedule 3 to the Local Government Act 1974 (hereditaments for determining the rateable value of which provision may be made under section 19(1) of that Act), for paragraph 3 there shall be substituted the following paragraphs—
- “3 Any hereditament which a relevant supplier (within the meaning of section 33 of the principal Act) is to be treated as occupying in a rating area by virtue of that section.
- 3A Any hereditament which a private gas supplier (within the meaning of section 33A of the principal Act) is to be treated as occupying in a rating area by virtue of section 33 of that Act as applied by order under the said section 33A.
- 3B (1) Any hereditament occupied for or in connection with the conveyance of gas through pipes other than one falling within paragraph 3 or 3A above.
- (2) In this paragraph ' gas' has the same meaning as in Part I of the Gas Act 1986.”

The Health and Safety at Work etc. Act 1974

- 18 At the end of section 34 of the Health and Safety at Work etc. Act 1974 (extension of time for bringing summary proceedings) there shall be inserted the following subsection—
- “(6) In the application of subsection (4) above to Scotland, after the words ' applies to' there shall be inserted the words ' any offence under section 33(1) (c) above where the health and safety regulations concerned were made for the general purpose mentioned in section 18(1) of the Gas Act 1986 and ' . ”

The Consumer Credit Act 1974

- 19 In section 174(3)(a) of the Consumer Credit Act 1974 (exceptions to general restriction on disclosure of information), after the words " the Telecommunications Act 1984 " there shall be inserted the words "or the Gas Act 1986" and after the words " the Director General of Telecommunications," there shall be inserted the words " the Director General of Gas Supply,".

The Oil Taxation Act 1975

- 20 In paragraph 2A(4) of Schedule 3 to the Oil Taxation Act 1975 (petroleum revenue tax: miscellaneous provisions), for paragraphs (a) and (b) there shall be substituted the following paragraphs—
- “(a) that any authorisation granted under section 7 or 8 of the Gas Act 1986 for the supply of the gas applies to the supply of the gas under the contract mentioned in subparagraph (2) of that paragraph ; and
- (b) that no authorisation is required under those sections for the supply of the gas under that contract if no such authorisation is required for the supply of the gas.”

The Local Government (Scotland) Act 1975

- 21 In Schedule 1 to the Local Government (Scotland) Act 1975—

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- (a) in paragraphs 3 to 3B, for references to the Corporation there shall be substituted references to a public gas supplier ;
- (b) in paragraph 3, there shall be added at the end the following sub-paragraph—

“(3) In this paragraph and in paragraphs 3A and 3B below—

' gas' means any substance which is or (if it were in a gaseous state) would be gas within the meaning of Part I of the Gas Act 1986 ;

' public gas supplier' has the same meaning as in Part I of the Gas Act 1986 ;

' private gas supplier' means a person who is authorised by section 6 of the said Act of 1986, or by an authorisation under section 8 of that Act,, to supply gas through pipes to consumers' premises.”; and

- (c) in paragraphs 3A and 3B, for references to a private supplier there shall be substituted references to a private gas supplier.

The Coal Industry Act 1975

- 22 Paragraph 5(3) of Schedule 1 to the Coal Industry Act 1975 (supplementary provisions relating to right to withdraw support) shall have effect as if the reference to a company or other body or person carrying on an undertaking primarily for the supply of gas for public purposes or to members of the public were a reference to a public gas supplier.

The Restrictive Trade Practices Act 1976

- 23 In section 41(1)(a) of the Restrictive Trade Practices Act 1976 (disclosure of information), after the words " the Director General of Telecommunications," there shall be inserted the words "the Director General of Gas Supply," and after the words " or the Telecommunications Act 1984" there shall be inserted the words "or the Gas Act 1986".

The Local Government (Miscellaneous Provisions) Act 1976

- 24 In section 33 of the Local Government (Miscellaneous Provisions) Act 1976 (restoration or continuation of supply of water, gas or electricity), for the word " undertakers ", wherever it occurs, there shall be substituted the word "person".

The Land Drainage Act 1976

- 25 In section 112(2)(a) of the Land Drainage Act 1976 (protection of nationalised undertakings etc.), for the words " the British Gas Corporation " there shall be substituted the words "any public gas supplier within the meaning of Part I of the Gas Act 1986".

The Energy Act 1976

- 26 (1) In section 9(1) of the Energy Act 1976 (liquefaction of offshore natural gas), for the words from " with consent" to " such consent" there shall be substituted the words "authorised by an authorisation under section 7 or 8 of the Gas Act 1986 and in

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compliance with any conditions of that authorisation, or providing a supply for which such an authorisation".

- (2) In section 12(2) of that Act (disposal of gas by flaring), for the words " the British Gas Corporation " there shall be substituted the words "a public gas supplier within the meaning of Part I of the Gas Act 1986".

The Estate Agents Act 1979

- 27 In section 10(3)(a) of the Estate Agents Act 1979 (exceptions to restrictions on disclosure of information), after the words " the Telecommunications Act 1984" there shall be inserted the words "or the Gas Act 1986" and after the words " the Director General of Telecommunications," there shall be inserted the words "the Director General of Gas Supply,".

The Competition Act 1980

- 28 (1) In subsection (2)(a) of section 19 of the Competition Act 1980 (exceptions to restriction on disclosure of information), after the words " the Director General of Telecommunications," there shall be inserted the words "the Director General of Gas Supply,".
- (2) In subsection (3) of that section, at the end there shall be inserted the following paragraph—
- “(h) the Gas Act 1986.”

The Acquisition of Land Act 1981

- 29 In section 28 of the Acquisition of Land Act 1981 (acquisition of rights over land by the creation of new rights), paragraph (a) shall be omitted and after paragraph (f) there shall be inserted the following paragraph—
- “(g) paragraph 1 of Schedule 3 to the Gas Act 1986.”

The Building Act 1984

- 30 In section 80(3) of the Building Act 1984 (notice to local authority of intended demolition), for paragraph (b) there shall be substituted the following paragraph—
- “(b) any public gas supplier (as defined in Part I of the Gas Act 1986) in whose authorised area (as so defined) the building is situated,”.

The Insolvency Act 1985

- 31 In sections 97(2)(a) and 200(4)(a) of the Insolvency Act 1985 (supplies by utilities to insolvency practitioners), for the words " the British Gas Corporation" there shall be substituted the words "a public gas supplier within the meaning of Part I of the Gas Act 1986".

The Bankruptcy (Scotland) Act 1985

- 32 In section 70(4)(a) of the Bankruptcy (Scotland) Act 1985 (supplies by utilities), for the words " the British Gas Corporation " there shall be substituted the words "a public gas supplier within the meaning of Part I of the Gas Act 1986".